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Daily Activity Planner for Thursday, January 28

Legislative Committees

Joint Medicaid Oversight Committee (Committee Record) (Chr. Sears, B., 466-1731), Rm. 313, 9 a.m.

- Department of Health Treatment Subcommittee Process
- Intersection of Medicaid and Education: Services for School-Age Children with Disabilities by John McCarthy, Director of Medicaid and Sue Zake, ODE Office of Exceptional Children
- Members of the Joint Education Oversight Committee have also been invited to participate

Agency Calendar

PUCO Nominating Council, Hearing Rm. 11-B, 180 E. Broad St., Columbus, 8:45 a.m.

BWC Board of Directors, Rm. 3, Level 2, 30 W. Spring St., Columbus, 9 a.m. (The Investment Committee meets 9-9:30 a.m.; the Actuarial Committee at 9:30-11 a.m.; the Governance Committee at 11-Noon; the Audit Committee at 1-3 p.m.; and the Medical Services and Safety Committee at 3-4 p.m. The Actuarial, Governance and Medical Services and Safety Committee meetings may start earlier if the preceding meeting adjourns earlier than scheduled.)

State Teachers Retirement System, 275 E. Broad St., Columbus, 9 a.m.

Optical Dispensers Board, 31st Fl., 77 S. High St., Columbus, 9:30 a.m.

School Employees Retirement System, 300 E. Broad St., Suite 100, Columbus, 9:30 a.m. (Pension Reform Roundtable)

School Facilities Commission, Rm. 121, Statehouse, Columbus, 1:30 p.m.

Facilities Construction Commission, Rm. 121, Statehouse, Columbus, 2:30 p.m.

House Medicinal Marijuana Task Force, Rm. 313, Statehouse, Columbus, 3 p.m.

Event Planner

Women Leaders news conference to urge state to meet EPA's Clean Power Plan, Ladies Gallery, Statehouse, Columbus, 11 a.m.

U.S. Senate candidate P.G. Sittenfeld, gun control advocates news conference on proposed ballot issue, George Washington Williams Rm., Statehouse, Columbus, 11 a.m.

Sen. Larry Obhof (R-Medina) fundraiser, The Union Club, Wedgewood Room, 3rd Floor, 1211 Euclid Ave., Cleveland, 12 p.m., (\$5,000 and above - Event Chair, \$2,500 - Event Co-Chair, \$1,500 - Event Sponsor, \$1,000 - Event Host, \$500 - Individual to Citizens for Obhof)

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Senate Activity for Wednesday, January 27, 2016

INTRODUCED

SB CASINO OPERATORS (Seitz, B.) To specify that the criminal penalty related to casino operators and **265** employees participating in casino gaming applies at their casino facility or an affiliated casino facility. Am. 3772.99

SB ELECTED OFFICE VACANCIES (Oelslager, S.) To clarify the circumstances under which a political **266** party may appoint a person to fill a vacancy in certain county elective offices. Am. 305.02

PASSED

HB ABORTION (Patmon, B., Conditt, M.) To require the Department of Health to ensure that state funds and **294** certain federal funds are not used either to perform or promote elective abortions, or to contract or affiliate with any entity that performs or promotes elective abortions.

22-8 (Earlier REPORTED-AMENDED)

Gongwer Coverage

SB CAPITAL REAPPROPRIATIONS (Coley, B.) To make capital reappropriations for the biennium ending **260** June 30, 2018.

30-0

Gongwer Coverage

SENATE CONCURS IN HOUSE AMENDMENTS

SB TAX LAWS (Peterson, B.) To expressly incorporate changes in the Internal Revenue Code since March 22, **2** 2013, into Ohio law, and to declare an emergency.

Emergency: 31-0; Concurrence: 31-0

Gongwer Coverage

REFERRED

Civil Justice:

SB 262 ■ **CHILD SUPPORT** (Jones, S.) To make changes to the laws governing child support.

Criminal Justice:

SB NEGOTIATED PLEAS (Hughes, J.) To authorize a court, upon request of the prosecution, to cancel a **263** negotiated plea in a felony or first degree misdemeanor case if the offender does not provide information, cooperate with law enforcement, or perform another function or activity when required as a condition of the underlying agreement.

Ways & Means:

SB TAX HOLIDAY (Bacon, K.) To provide for a permanent three-day sales tax "holiday" each August during **264** which sales of back-to-school clothing and school supplies are exempt from sales and use taxes.

COMMITTEE HEARINGS

Government Oversight & Reform

HB WOMENS' POLICY (Pelanda, D., Kunze, S.) To designate the second week of March as Ohio Womens' **103** Week for Policy and Entrepreneurship, to create the Ohio Womens' Policy and Entrepreneurship Committee, and to require the state, in collaboration with the private sector, to conduct a two-day competition and forum each even-numbered year during the designated week. (**CONTINUED**; 1st Hearing-Sponsor)

Sponsors Reps. Kunze and Pelanda said the bill would designate the second week of March as "Ohio Women's Week for Policy and Entrepreneurship" and create a committee to organize an event every other year and support female entrepreneurs.

"By cultivating principles of openness and cooperation between our policy makers and entrepreneurs, we will be able to address the matter of global competitiveness," Rep. Kunze said. "Encouraging innovative American businesswomen to follow their passions, will lead to job creation and will add value to the marketplace and to our communities."

Rep. Pelanda said some changes had been made to make sure the committee would consist mostly of women.

Sen. Yuko asked if the committee would mostly provide encouragement for female business owners early in the process or if it would provide incentives.

One of the problems female entrepreneurs face, Rep. Pelanda said, isn't in starting the business but in sustaining it a few years down the road, when they face state and federal regulations and don't have quite as much support.

"This committee is designed to have encouragement at the very beginning, but most importantly follow-through," she said.

HB ABORTION (Patmon, B., Conditt, M.) To require the Department of Health to ensure that state funds and **294** certain federal funds are not used either to perform or promote elective abortions, or to contract or affiliate with any entity that performs or promotes elective abortions. (**REPORTED-AMENDED** (See separate story); 2nd Hearing-All testimony-Possible amendments & vote)

HB FIREARMS (Maag, R.) To extend to handguns affirmative defenses to a charge of carrying a concealed **48** weapon or having or transporting a firearm in a motor vehicle, and to modify the prohibition against carrying a concealed handgun onto institutions of higher education, places of worship, day-care facilities, aircraft, certain government facilities, public areas of airport terminals and police stations, and school safety zones. (**CONTINUED**; 1st Hearing-Sponsor)

Sponsor Rep. Maag said the bill would help prevent someone from being charged with a felony for making a mistake, such as accidentally taking a concealed firearm onto a college campus.

Sen. Skindell questioned a provision providing colleges and universities with immunity from liability resulting from a concealed carry licensee bringing a firearm onto the campus. He said the provision would protect the college or university from liability unless it acted with a malicious purpose.

Sen. Skindell said it's almost impossible in practice to prove malicious purpose, and that a better standard might be to protect the institution from liability unless it acted in a willful or wanton manner, meaning the institution would have had to have acted with reckless disregard for the consequences.

"That's pretty high, but you can prove that against a corporation," he said.

Rep. Maag said he wasn't an attorney and was not able to answer the question, but would defer it to the attorneys on the committee.

"I think this is an important bill and it's something that needs to be passed to protect the citizens of the state of Ohio," he said.

HB HIGHER EDUCATION CONDUCT (Hagan, C.) To prohibit an employee of a public or nonpublic school or institution of higher education who is not in a position of authority from engaging in sexual conduct with a minor at least four years younger than the employee who is enrolled in or attends that public or nonpublic school or who is enrolled in or attends that institution of higher education. **(CONTINUED; 1st Hearing-Sponsor)**

Sponsor Rep. Hagan testified that the bill would prohibit school employees from engaging in sexual activity with minor students. She said the bill closes a loophole in current law that allows school employees who are not teachers or authority figures to engage in sexual activity with minor students without legal repercussions.

"Students have enough complexities during their developmental years and the last thing they need is a peculiar encounter that could potentially devastate them or leave them in disarray during their educational experience in Ohio," Rep. Hagan said.

Transportation, Commerce & Labor

SB LICENSE PLATE (Lehner, P.) To create the 'Ohio Association of Child Caring Agencies' license plate. **231 (CONTINUED; 1st Hearing-Sponsor)**

Sen. Lehner said the creation of the Ohio Association of Child Caring Agencies license plate would provide proceeds to support OACCA and its mission to sustainably improve the provision of services to children, young adults, families and the community agencies that serve them.

The sponsor said OACCA, the oldest statewide child advocacy organization in the state, is comprised of 91 community agencies, including some of the oldest and most historic nonprofits in Ohio, that are providing local at-risk kids with needed support.

The additional funding generated with the issuance of the special license plate, will be used to pay expenses incurred in advancing the agency's mission including public education, community forums and best practice institutes, Sen. Lehner said. The additional funds will provide essential support to the association, dozens of leading community providers and the thousands of children and young adults entrusted in their care.

SB 233 LICENSE PLATE (Hughes, J.) To create the "Ohio Nurses Association" license plate. **(CONTINUED; 1st Hearing-Sponsor)**

Sen. Hughes said proceeds from the special plate would go to the Ohio Nurses Foundation, the philanthropic arm of the Ohio Nurses Association that represents over 160,000 Ohio nurses. The funds would go toward supporting the Foundation's mission of advancing the practice of nursing as a learned profession through education, research and scholarships, he said.

By providing scholarships, Sen. Hughes explained, individuals who aspire to join the nursing profession and nurses already in the profession who seek to advance their knowledge could get assistance. He said that since 2002 the Foundation has awarded over \$100,000 in scholarships and grants to Ohio students and nurse researchers.

SB MOTOR VEHICLE SALES (Uecker, J., Coley, B.) To revise the law governing new motor vehicle **242** franchise agreements. (CONTINUED; 2nd Hearing-Proponent)

Joe Cannon, vice president of government relations for the Ohio Automobile Dealers Association, said in proponent testimony that the Ohio Motor Vehicle Dealer Franchise Law, in effect for nearly four decades, has provided the necessary balance between auto dealers and manufacturers. He said the law recognizes the substantial investments that Ohio dealers have made in their dealerships and the vital role played by the franchised dealer network to encourage competition, consumer protection, investment and the role of OADA's more than 830 dealers play in the state's economy.

Mr. Cannon said the legislation attempts to accomplish two main issues - adding local market conditions as part of performance criteria manufacturers use to evaluate dealerships and clarifying a United States 6th Circuit Court of Appeals decision regarding warranty and recall reimbursement.

Performance criteria set by manufacturers can lead to significant business implications, including succession planning, ability to buy or sell a dealership, financial sales and service incentives and even a decision to terminate a dealership, he said. "Local market conditions" would have to be taken into account when establishing any performance standard or program measuring dealer performance, amending a dealer's allotment of vehicles, sales expectancy, sales penetration or area of responsibility and when attempting to terminate a dealer. Local market conditions include factors such as the proximity of motor vehicle manufacturing facilities, proximity of other dealers, area unemployment rates and road construction affecting traffic patterns to and from the dealership.

A second part of the bill would clear up an ambiguity as determined by the court decision that stated that warranty service work and parts be reimbursed to the dealer at the same rate of non-warranty work. The court found that the state code clearly allows a dealer to determine the amount charged for labor per hour, however, the ambiguity arose that allowed the manufacturer to dictate the time allowed for the repair work. As a result, the dealership could charge its labor rate while the manufacturer would have final say as to how long the repair takes, regardless of any issues related to the repair beyond the time the dealer needs to diagnose and fix the problem.

Mr. Cannon said the bill would maintain current law regarding the hourly rate but base the repair time, not set by the manufacturer, on the time allotted for the work in a nationally recognized, independent labor time study guide used by the dealer. For parts, reimbursement would be the manufacturer's suggested retail price guide. Dealers would also be protected against any retaliation against dealers for exercising their rights under the section.

SB ROAD NAMING (Obhof, L.) To designate a portion of I-71 in Richland County as the "Lt. Col. Albert L. **253** Allen, Jr. Memorial Highway." (CONTINUED; 1st Hearing-Sponsor)

The Lt. Col Albert L. Allen Jr. Memorial Highway, when so designated by the bill, would be the portion of I-71 between **SR 39** and the Ashland County line in Richland County, according to sponsor testimony given by Sen. Obhof. He said Mr. Allen was a member of the 192nd Tank Battalion and deployed to the Philippines and when captured in 1942 was subjected to the Bataan Death March. Upon his survival of the ordeal, Lt. Allen returned to his home area and became a leader in the veteran community, serving as commander of his American Legion and VFW posts and chairing the Military Affairs Council of the Mansfield Chamber of Commerce. Sen. Obhof said Lt. Allen was later inducted into the Ohio Veterans Hall of Fame and the Ohio Military Hall of Fame and has been commemorated by the renaming the Richland County Veteran Services Center in his honor. The

sponsor concluded by saying the highway designation would serve as a fitting tribute to a man who meant a great deal to the community and who dedicated his life to serving his country and supporting his fellow soldiers.

SB ROAD NAMING (Hite, C.) To designate a portion of U.S. Route 30 in Hancock County as the **259** "Congressman Michael G. Oxley Memorial Highway." (CONTINUED; 1st Hearing-Sponsor)

The road naming would honor the late Congressman Michael Oxley for his public and community service. Sponsor Hite noted Congressman Oxley served 10 years in the Ohio House and then went on to serve 25 years in Congress from the 4th District. His congressional service included chairmanship of the Committee on Financial Services which lead to the Sarbanes-Oxley Act of 2002 that provided protections to shareholders and the general public from corporate scandal and mistakes. Sen. Hite said designating the portion of US 30 through Hancock County recognizes Congressman Oxley's contributions to the region and state and show that "Ox" went above and beyond in his dedicated service to the people of Ohio. A companion bill (**HB 430**) by Rep. Sprague was heard by the House Transportation and Infrastructure Committee on Tuesday.

Criminal Justice

HB FAILURE TO STOP (Hill, B.) To increase the penalty for failure to stop after a traffic accident that results **110** in the death of a person or serious physical harm to a person and to name this act Brandon's Law. (REPORTED-AMENDED (See separate story); 6th Hearing-All testimony-Possible vote)

HB RECORD SEALING (Pelanda, D., Rogers, J.) To allow a person who is convicted of an offense that may **164** not be sealed to apply to have the conviction sealed if, before the person makes that application, the offense is changed so that it may be sealed. (CONTINUED; 1st Hearing-Sponsor)

The bill's sponsors told members of the committee that it will "ensure Ohio's record sealing law is uniformly available to all citizens."

"In the recent past, important and bipartisan reforms have been accomplished dealing with the issue of collateral sanctions," Rep. Pelanda said. "One of the primary goals of these reforms was to allow non-violent, first-time ex-offenders the opportunity to have specified convictions removed from their records. For many, the sealing of a record or its expungement can provide assistance with employment opportunities and enhance the likelihood of personal success which might otherwise be denied."

Rep. Rogers told the committee that laws "must be consistent" to be just.

"A person who committed a specified non-violent offense many years ago, who has successfully complied with all court ordered sanctions, should be afforded the same opportunity that someone else has today, by virtue of the recently enacted changes."

Sen. Hughes questioned if the bill addresses third-parties that may have information about a person's criminal record.

Rep. Pelanda said there is legislation (**HB 427**) recently introduced in the House that would address that issue.

SB DEATH SENTENCES (Seitz, B., Williams, S.) To provide that a person convicted of aggravated murder **162** who shows that the person had a serious mental illness at the time of committing the offense cannot be sentenced to death for the offense and to provide a mechanism for resentencing to a life sentence a person previously sentenced to death who proves that the person had a serious mental illness at the time of committing the offense. (CONTINUED (See separate story); 5th Hearing-Opponent & interested party)

SB SEXUAL CONDUCT (Hughes, J., Hottinger, J.) To prohibit a person from engaging in sexual conduct with **195** an animal and related acts, to provide for the seizure and impoundment of an animal that is the subject of a violation, and to authorize a sentencing court to require an offender to undergo psychological evaluation or counseling. (CONTINUED-AMENDED; 4th Hearing-All testimony-Possible amendments)

Several animal rights groups provided written testimony in support of the bill.

Shalyse Bolash, executive director of the Animal Charity Humane Society, wrote that the bill will help organizations like hers to properly punish those who engaged in sexual activity with animals, identify and care for animal victims and safeguard communities from possible future acts of violence.

"Bestiality is not merely a deviant activity of an individual," she wrote. "Sexual abuse of animals often results in serious injury to or the death of the animal."

Scott Heiser, director of the Animal Legal Defense Fund, noted that there are just 10 states remaining without a bestiality law on the books.

"Consequently, in states like Ohio, many sexually deviant and high-risk offenders remain free to walk the streets - an unacceptable result by any measure."

An amendment was approved that Chairman Sen. Eklund described as a "technical" change to ensure that animals are still protected under other provisions of the law.

The Cleveland Animal Protective League, Planned Pethood, Inc. and the Columbus Dog Connection also provided written testimony in support of the bill.

SB DRUG VOLUME (LaRose, F.) To provide that five milligrams or more of fentanyl or an amount equal to or **237**exceeding one gram of a compound, mixture, preparation, or substance that contains any amount of fentanyl and that is not in a final dosage form manufactured by an authorized manufacturer constitutes a bulk amount for purposes of the laws governing drug offenses, to revise the manner of determining sentence for certain violations of the offense of permitting drug abuse, and to add lisdexamphetamine to the list of schedule II controlled substances. **(CONTINUED; 1st Hearing-Sponsor)**

Sen. LaRose told committee members that the legislation will help to combat the drug epidemic in Ohio.

"Heroin laced with fentanyl, known as 'blue drop' heroin, has been linked with drug overdose deaths throughout the state," he said. "Based on law enforcement drug seizures, Ohio has seen a major increase in drug reports involving contraband fentanyl."

According to Sen. LaRose, there were 502 fentanyl-related drug overdose deaths in Ohio in 2014.

Sen. Seitz asked if the law will require that a person knowingly possess the drug, noting that it is oftentimes mixed with heroin in the supply chain.

Sen. LaRose said the bill does not include a mens rea provision.

Governor's Appointment: The committee unanimously reported the recommendation of Kimberley Jacobs to serve on the Ohio Peace Officer Training Commission.

Subscribers Note: For full testimony, visit the committee's [website](#) under Jan. 27.

Civil Justice

SB COURT PROCEEDINGS (Seitz, B.) To enact the Uniform Interstate Depositions and Discovery Act. **171** **(CONTINUED; 2nd Hearing-Proponent)**

Eric Johnson, a domestic relations attorney in Columbus and a member of the Ohio State Bar Association Family Law Committee, said Ohio's current law dealing with out-of-state depositions dates back to 1920.

"The current system leaves a lot of unanswered questions for those involved in the litigation process," he said.

The bill, he said, is patterned on the Uniform Interstate Deposition and Discovery Act.

"The act sets forth clear rules for governing discovery by decreeing that any discovery permitted must comply with the laws of the discovery state," Mr. Johnson told the committee.

He said the measure will provide procedural consistency, cost efficiency and protection of non-litigant citizens.

Thirty-six states, including every state contiguous to Ohio, have already adopted the legislation or are in the process of considering it, according to Mr. Johnson.

"Adoption of the act in Ohio would therefore especially ease the burden on Ohio attorneys practicing in counties close to state lines," he said.

Alexandra Schimmer, commissioner for the Uniform Law Commission, provided written testimony in support of the bill, calling it "simple and efficient."

"It establishes a simple clerical procedure under which a trial state subpoena may be reissued as a discovery state subpoena," she wrote. "Under the act, the out-of-state subpoena will be presented to the clerk of the court in Ohio. Upon presentation of the out-of-state subpoena, the clerk will issue an Ohio subpoena that incorporates the terms of the out-of-state subpoena. This action does not constitute an appearance in the court, but is sufficient to invoke jurisdiction over the deponent."

SB VEHICLE FORCIBLE ENTRY (Hughes, J., LaRose, E.) To grant a person immunity from civil liability **215** for any damage resulting from the forcible entry of a motor vehicle for the purpose of removing a minor or an animal from the vehicle because the minor or the animal is in imminent danger of suffering harm. **(REPORTED; 4th Hearing-Possible vote)**

An attorney representing eight animal welfare organizations told committee members that under current state law, a person that enters a vehicle they do not own to save the life of an animal could face criminal penalties.

The bill "represents a responsible piece of legislation which permits immunity only if the citizen takes certain actions, including determining that the vehicle is locked, that there is no other means by which the citizen can enter the vehicle and requiring the citizen to contact law enforcement," Matt Ditchey wrote in testimony provided to the committee.

Twenty states currently have "hot car" laws on the books, and two others are considering similar legislation, he wrote.

"To put the risks of a hot vehicle in perspective: Parked cars quickly trap the sun's heat. Even on a day when it's 70 degrees outside, the temperature inside a vehicle with all the windows closed can rise to 90 degrees in just 10 minutes," Mr. Ditchey wrote. "On a hot day, the temperature inside a closed vehicle can rise as high as 116 degrees in the same amount of time."


Mr. Ditchey's testimony was provided on behalf of Angels for Animals, the Animal Cruelty Task Force of Ohio, Joseph's Legacy, Justice for Herbie, the Nitro Foundation/Nitro's Ohio Army, the Ohio Coalition of Dog Advocates, Ohio Voters for Companion Animals, Inc., and Paws and the Law.

Subscribers Note: For full testimony, visit the committee's [website](#) under Jan. 27.

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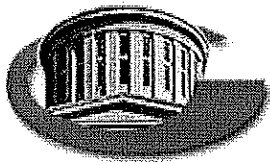
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House Activity for Wednesday, January 27, 2016

INTRODUCED

HB POLICE INVESTIGATIONS (Boyd, J., Kuhns, C.) To require every law enforcement agency to adopt a **437** written policy that requires an investigation into a death resulting from the actions of a law enforcement officer employed by the law enforcement agency and to require the investigation to be conducted by at least two law enforcement officers who are not employed by a law enforcement agency that employs any law enforcement officer involved in the officer-involved death. En. 2901.51.

HB WEEK DESIGNATION (Patterson, J.) To designate the week prior to the week of Thanksgiving Day as **438** "Ohio Public Education Appreciation Week." En. 5.235.

PASSED

SB TAX LAWS (Peterson, B.) To expressly incorporate changes in the Internal Revenue Code since March 22, **2** 2013, into Ohio law, and to declare an emergency.

EMERGENCY: 88-1 (Brinkman); BILL: 89-0

Gongwer Coverage

HB WINE SALES (Manning, N.) To establish the F-10 liquor permit to authorize certain A-2 permit holders to **178** sell Ohio wines at farmers markets.

93-1 (Hayes)

Gongwer Coverage

HB ROAD NAMING (Maag, R.) To designate a portion of state route forty-eight within Warren county as the **256** "SFC Bobby Lee Estle Memorial Highway."

96-0

Gongwer Coverage

HB WINERY PERMITS (Young, R.) To create the Ohio Farm Winery Permit.

342

87-1 (Hayes)

Gongwer Coverage

HB ADDRESS CONFIDENTIALITY (Duffey, M., Gonzales, A.) To create an address confidentiality **359** program for victims of domestic violence, menacing by stalking, human trafficking, trafficking in persons, rape, or sexual battery.

93-0

Gongwer Coverage

HB HIGHER EDUCATION AUDITS (Schaffer, T., Duffey, M.) To specify that state institutions of higher **384** education may be subject to performance audits conducted by the Auditor of State.

90-0

HOUSE SPEAKER'S APPOINTMENTS

Minority Development Financing Advisory Board: Remove Rep. Young; appoint Rep. Dever

Turnpike Legislative Review Committee: Reps. Boose and Arndt.

Transportation and Infrastructure Committee: Remove Rep. Vitale; appoint Rep. Arndt

COMMITTEE HEARINGS

Financial Institutions, Housing & Urban Development

HBLINKED DEPOSITS (Schuring, K.) To create the business linked deposit program, to permit credit unions **415** to participate in that program, to permit credit unions to participate in the agricultural linked deposit program, and to make other changes to the linked deposit law. (CONTINUED; 1st Hearing-Sponsor)

Rep. Schuring said his proposal, which does not make credit unions eligible for public deposits, allows the state treasurer to transfer funds to credit unions for the purpose of lending them to certain customers through linked deposit programs.

He said the measure expands the linked deposit program - which has been in existence since 1984 - to allow credit unions to participate.

Credit unions are uniquely positioned to lend money to businesses because they know their customers well, he said, adding that in a recovering economy it is important to give businesses access to lower-interest loans. He said credit unions still check borrowers' creditworthiness, but also take other factors such as character into account.

Rep. Sprague asked whether public money would be at risk if loans are not repaid. Mr. Schuring said the bill is clear that the state is not the guarantor of last resort.

The sponsor also told Rep. Sprague the bill doesn't specify how much money in the linked deposit program would be earmarked for lending by credit unions.

Rep. Hambley suggested the bill could be amended to require a periodic report from the state treasurer on how the program is operating. Rep. Schuring agreed that would be a positive change.

Rep. Schuring also told Rep. Scherer the bill allows loans at the same interest rate as other linked deposit programs.

Responding to Chair Terhar, Mr. Schuring said there is nothing in the bill that requires the treasurer to spread funds across different categories or geographies. Those decisions, he said, would be made by the treasurer.

Economic & Workforce Development

HB TAX EXEMPTION (Young, R., Romanchuk, M.) To exempt employment services and employment **343** placement services from sales and use tax. (CONTINUED; 5th Hearing-All testimony)

Bryan Williams, director of government affairs for the Associated Builders and Contractors of Ohio, relayed his group's support for the bill and reversing the 23-year-old tax policy regarding employment services.

"We thought this was an unwise policy then. We think it remains an unwise policy," he said.

Its application has gotten worse over the years because of how the state is interpreting the law - a change he attributed to the Department of Taxation's efforts to look under "seat cushions" for revenue enhancements, he said.

"During the most recent recession our friends at the Ohio Department of Taxation utilized ambiguous language in the current law to further expand the application of Ohio's sales and use tax law to actually attempt to assess sales tax on the wages earned by the leased workforce. These efforts are the subject of ongoing litigation," he said.

Mr. Williams said no witnesses have backed the concept of "taxing a tax" like the state is currently doing.

"No one has come forward to say it's a good policy and we should continue it," he said. That's because it's an "indefensible practice."

Rep. Smith asked several questions of the witness, including the size of ABC's membership and the extent of the employers' use of temporary workers. He said it would be helpful to know the total number of ABC employees and how many people are temps.

Mr. Williams said he didn't have any hard data but assumes less than half of his members regularly use "lease labor" but that most have at one time or another.

Responding to another question from Rep. Smith, the witness said he didn't think the bill would negatively impact unions because of the current shortage of construction workers around the state.

He told Rep. Driehaus that the total number of such workers account for a "very, very small" percentage of the construction industry.

Nevertheless Mr. Williams said the group supports the bill on principle and that now is the time, with the state's economy improving, to eliminate the tax. "We think it makes economic sense" to the worker and the state to get rid of it, he said.

Mr. Williams told Rep. Perales that the residential construction industry also uses as well? Also uses lease labor

Responding to Rep. Romanchuk, the witness said the bill would improve the state's economy and likely increase revenues more than enough to offset the estimated impact to the state.

Christopher Ferruso, legislative director for NFIB-Ohio, submitted written testimony in support.

"In addition to the taxation on both provider fee and wages, another major concern is the uncertainty employers face when attempting to determine what constitutes employment services," Mr. Ferruso wrote. Since the bill law was changed to tax the services in 1993, ODT has notified taxpayers of several revisions that have "led to confusion as to what exactly constitutes employment services."

"As Ohio continues to promote a positive business climate, this tax on employment adds an additional cost to employers not recognized in many other states and certainly not to the extent Ohio employers are asked to absorb," he added.

Michele Francis, lobbyist for the Ohio Library Council, said in written testimony the library funding share of the estimated \$132 million in foregone revenue the bill would cause would drop by \$2.3 million a year, or roughly a fourth of the projected increase the Public Library Fund was to receive over the biennium.

"We have met with both Chairwoman Baker and Vice Chairman Romanchuk, and we are urging the legislature to allow public libraries to fully realize the restoration of some of our funding. If HB343 is passed and it results

in a negative fiscal impact to Ohio's public libraries, we respectfully request that the PLF be held harmless," she wrote.

HB AUTO TECHNICIANS (Antani, N., Reineke, B.) Regarding employers of automotive technicians and **429** motor vehicle technicians participating in the Incumbent Workforce Training Voucher Program.
(CONTINUED; 1st Hearing-Sponsor)

Reps. Antani and Reineke said in sponsor testimony the bill would allow employees who serve as automotive technicians in businesses such as dealerships, Goodyear, NTB, and independently owned car mechanic shops to participate in the Incumbent Workforce Voucher Program.

Currently, the program, which is administered by the Development Services Agency, only covers individuals and businesses in other targeted businesses such as automotive manufacturers but not retail stores, Rep. Antani said. The Department of Jobs and Family Services lists automotive technicians as one of the in-demand occupations

Rep. Antani stressed that the bill does not call for additional money to DSA for the training program. The program is currently funded at \$7.5 million a year.

Rep. Reineke said the demand for skilled technicians has never been higher. "Right now, in my business, I could instantly hire a dozen top-tier technicians and pay them wages far above the state average. They are simply not available," he said. "We believe this legislation will help address the current shortage by giving technicians more opportunities to enter into a well-trained and well-paid career."

"From a community standpoint, consumers need the best level of care for their vehicles. As technology and innovation develop, automobiles become increasingly more complex. On top of that, recall issues are gaining national prominence," he added.

"As increased consumer demand is met, we will see important growth in our economy. When retail sales increase, the retailer is more likely to re-invest in capital, such as lifts, diagnostic equipment and service facilities."

Other benefits of those improvements, he said, would be additional sales tax revenue from retail establishments, generating enthusiasm for entry-level employees and allowing businesses to better meet increasing consumer demand.

"Consumers would benefit from better service and protection for one of the most significant investments they make. And our state would see better economic outcomes throughout our communities, a goal we are all working toward making a reality," Rep. Reineke said.

Responding to questions from the panel, the sponsors said they were unsure whether the bill applied to motorcycle mechanics - an addition that Rep. Barnes suggested - that it could apply to mechanics at oil change stores, and that the scope of the bill was kept to the type of work currently covered under the program.

Subscribers Note: Full testimony is available on the [committee's website](#) under Jan. 27.

Health & Aging

HB TRAUMA SYSTEM (Grossman, C., Huffman, S.) To establish the State Trauma Board in the Ohio **261** Department of Health, to require that facilities that provide trauma care be designated by the Board as level I, II, or III trauma centers, and to provide that the amendment by this act to section 101.82 of the Revised Code terminates on December 31, 2016. (CONTINUED-SUBSTITUTE; 4th Hearing-All testimony-Possible substitute)

Committee chairwoman Rep. Gonzales said the committee delayed voting on the bill until next week at the request of sponsors.

No in-person testimony was received on the bill but the committee did adopt a substitute bill (comp doc) including provisions that:

- Permit the State Trauma Board to designate a level III adult trauma center if the facility completes the application process for verification by the American College of Surgeons and meets other board-established criteria.
- Require, rather than permit, the board to designate level IV trauma centers and modify eligibility requirements. The substitute also removes requirements for the board to establish an application and renewal fee for level IV centers.
- Restrict the board's authority to request information from an EMS organization, first responder or EMT by permitting requests only if the board cannot obtain info from the State Board of Emergency Medical Fire and Transportation Services or the Emergency Medical Services Incident Reporting System or if the state trauma board requests, and the EMFATS grants permission, to request that information directly from organizations, responders or EMTs.
- Exempt urgent care centers from provisions requiring hospitals to establish trauma care protocols.

Despite the substitute version, the Ohio Fire Chiefs' Association, the Ohio State Firefighters Association and the Ohio Association of Professional Fire Fighters remain opposed to the measure, according to a joint letter they submitted Monday.

In the letter, the group wrote that the substitute version fails to address all of the groups' concerns. In a Dec. 8 letter, the groups initially recommended a host of language changes, including everything from technical changes to requiring two seats on the EMFATS Board, upon their current term expirations, to be occupied by representatives of fire services.

"Until we can reach resolution on these issues, the members of our organizations will not be able to support this legislation," the groups wrote this week.

HB MOBILITY AID TRANSPORTATION (Kuhns, C., Romanchuk, M.) To modify the provisions governing **365** the transport of persons who may use a wheelchair or other mobility aid. (**CONTINUED (No testimony)**);
 ■ 3rd Hearing-Opponent)

HB FETAL REMAINS (McColley, R., Koehler, K.) Regarding final disposition of fetal remains from **417** abortions. (**CONTINUED (See separate story)**; 2nd Hearing-Proponent)

HB FETAL REMAINS (Sears, B., Ginter, T.) Regarding the disposition of fetal remains from abortions. **419** (**CONTINUED (See separate story)**; 2nd Hearing-Proponent)

HB DRUG INJECTIONS (LaTourette, S.) To authorize a pharmacist to administer by injection certain **421** prescribed drugs. (**CONTINUED**; 1st Hearing-Sponsor)

Rep. LaTourette said her bill does not give prescriptive authority to pharmacists or change the manner in which drugs are prescribed.

"This bill is narrowly tailored to address specific injectable medications, including certain opioid antagonists, antipsychotics, and designated prenatal treatments for pregnant women at high risk of complications," she said. "Additionally, this legislation allows the pharmacist to administer epinephrine or diphenhydramine in the event that the patient has an adverse reaction to the drugs that the pharmacist has administered."

She said 23 other states have adopted such legislation. In order to administer these medications, the bill requires pharmacists to complete a certification course approved by the State Board of Pharmacy. They must also receive certification in basic life-support training through the American Red Cross or the American Heart Association.

Any injectable medication prescribed by the pharmacist would have to be communicated to the patient's physician.

"I am confident that this legislation will fill an unmet need by increasing the number of injection treatment site options for patients being treated in these areas, and therefore will increase the likelihood of successful treatment for these three targeted healthcare crises in our state," Rep. LaTourette said.

HCRDD EMPLOYMENT SERVICES (Romanchuk, M., Antonio, N.) To urge the Congress of the United States to request that the federal Centers for Medicare and Medicaid Services revise its guidance on employment services for individuals with developmental disabilities to maintain their right to participate in programs offered by facility-based day programs, training centers and sheltered workshops. (CONTINUED; 2nd Hearing-Proponent)

Two parents testified, recounting their experiences with children benefiting from sheltered workshops and other resources for the developmentally disabled.

Mike Odioso, of the Ohio Coalition for Person Centered Planning, lost a daughter in June to an undiagnosed heart condition. Leading up to her death, he said, she obtained services at Safe Haven Farms - a Middletown farm with residential and day services for those on the autism spectrum.

Facilities like Safe Haven, he said, "are under threat here."

Passing the resolution would send a message to the federal government that there is a place for adult day services and shelter workshops, he said.

"They need to strongly consider that one size does not fit all when it comes to the disabled," Mr. Odioso said.

Father Joe Moore said his son has also benefited from such programs. He said Ohio's current system isn't broken.

"In a perfect world, we would all agree that everyone, regardless of his or her abilities and/or disabilities, should be able to find a community-based job that offers a sense of fulfillment and self-worth, that pays a living wage and is located in a safe and comfortable environment," Mr. Moore said. "The concept is solid until someone - CMS - tries to define exactly what that looks like."

SCRDIAbetes RESEARCH (Balderson, T., Gentile, L.) To urge the United States Congress to increase federal funding for research and development involving advanced medical technology used in the treatment of type 1 diabetes. (CONTINUED; 1st Hearing-Sponsor)

Sen. Gentile said more than 1 million Americans have been diagnosed with type 1 diabetes, for which there is no cure.

But he said promising research is being conducted on closed-loop insulin delivery systems, also called an "artificial pancreas," and on islet cell transplantation therapy. Without adequate funding, he said, those efforts may not succeed or will take much longer to develop.

"Increased funding would allow for expedited access to such technology for type 1 diabetes patients, leading to enhanced healthcare and a savings of billions of dollars in health care costs and lost productivity," he said.

Subscribers Note: For full testimony, visit the [committee's website](#) under Jan. 27.

Education

HBCPR TRAINING (Grossman, C., Manning, N.) To require instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator as a requirement for high school graduation. (REPORTED-

SUBSTITUTE (No testimony); 5th Hearing-All testimony-Possible vote)

Prior to advancing the measure, the panel accepted a substitute version that removes a requirement that students complete CPR training in order to graduate.

**HB PRIVATE SCHOOLS (Brinkman, T.) With regard to requirements for chartered nonpublic schools.
401 (CONTINUED; 1st Hearing-Sponsor)**

Rep. Brinkman said "this bill requires minimal added effort for schools and creates no added state involvement," but will improve transparency for parents and students.

The bill would require non-chartered private schools to make readily available the following information:

- An annual statement of the school's cash flow for the last two years.
- Basic information on enrollment trends for two years.
- The school's policy on background checks for staff and volunteers with child contact.
- Curriculum and reading lists pertinent to their enrolled students.
- School governance documents such as by-laws, constitutions etc.
- Minutes of governance board non-executive sessions showing decisions being made on behalf of parents and students.

"When parents pick a school for their children it's not like picking a restaurant for their next meal. Parents are committing to an institution; often times one that their child will attend from pre-K through 12th grade. Therefore, I believe the more we empower parents with information, the more confident they can be about the decision to send their child to a particular institution," Rep. Brinkman said.

Rep. Brenner questioned why private schools should be required to meet state standards for providing information. The sponsor said some schools aren't making the information available to parents even though they're required to collect and maintain the aforementioned information.

The sponsor told Rep. K. Smith that some information would have to be posted on the schools' websites, while other details must simply be made readily available.

Rep. Ramos asked if schools can refuse to post the information so long as they don't receive any money from the state. The sponsor said that would be an option.

**HB TRUANCY (Rezabek, J., Hayes, B.) With regard to habitual and chronic truancy and compulsory school
410 attendance. (CONTINUED; 1st Hearing-Sponsor)**

Rep. Hayes said the bill will stop the practice of suspending or expelling students as well as referring them to the justice system for chronic truancy.

It seeks to create more holistic processes for addressing student absenteeism by encouraging schools to intervene sooner and build a team that will create a plan to get truant students back on track, he said.

"This bill is about giving schools more tools and additional flexibility to address the root causes of the problem without collateral consequences," Rep. Hayes said.

Courts and schools would also be required to report truancy data throughout the intervention process to give the state a better idea of why students aren't attending schools and what works best to keep them in the classroom, he said.

Rep. Ramos said he likes the idea of more intervention, but questioned how likely it is families would be involved in the process. The joint sponsor said "families are the key to kids going to school" or not. Penalties for parents who don't get involved may be forthcoming, Rep. Hayes added.

He told Rep. Fedor that schools still employ truant officers and they have been involved in molding the legislation.

Rep. Patterson asked when the team members would meet. He said he's heard concerns that teachers won't be paid more for the additional work they'll be doing.

Districts will determine whether the intervention team would meet before or after school and there is no funding attached to the bill, Rep. Hayes said.

Responding to a question from Rep. Cupp, the joint sponsor said the issue of truancy has been addressed multiple ways throughout the state and he's looking for input on best practices.

HBSTATE ASSESSMENTS (Roegner, K.) To prohibit the Department of Education from including students **420** who "opt-out" of state assessments in calculations of certain grades in the state report card and to declare an emergency. (CONTINUED-SUBSTITUTE (See separate story); 1st Hearing-Sponsor & proponent-Possible substitute)

SBEDUCATION LAWS (Hite, C., Faber, K.) To exempt high-performing school districts from certain laws; to **3** revise the law regarding the administration of state primary and secondary education assessments; to permit school districts to contract with hospitals, health care professionals, and educational service centers for school health services; to revise the competitive bidding threshold for school building and repair contracts; and to require the School Facilities Commission to develop a legislative proposal assisting high-performing school districts in purchasing technology, building expansion, and physical alterations to improve school safety or security. (CONTINUED; 4th Hearing-All testimony)

Ohio Education Association Vice President Scott DiMauro, said the bill would "be a step back in education policy" because it exempts certain districts from some standards.

The ability to hire unlicensed teachers, permit larger class sizes and exempt some teachers from the mentoring portion of the teacher residency program are some opportunities high-performing districts would have under the bill that OEA opposes, he said.

Meanwhile, the association does support provisions in the bill regarding testing, such as the 2% cap on yearly testing time, Mr. DiMauro said.

Rep. Brenner questioned whether the amount of teacher mentoring, for instance, shouldn't be a decision best left up to those at the local level. The witness said the monitoring requirements of RESA are among its strongest components and having qualified mentors helps teachers better acclimate to the profession.

Ann Sheldon, executive director of the Ohio Association for Gifted Children, also questioned exemptions in the bill as well as the definition of high-performing districts.

There is concern among her members, she said, that allowing schools to hire unlicensed teachers would make it even more unlikely than it already is for students who are identified as gifted to receive instruction from a dedicated gifted teacher.

She is supportive, however, of more screening for gifted students, she said. Such tests would not be included in the 2% testing cap proposed in the bill.

"There may well be an excessive amount of state level testing. However, this is in stark contrast to the lack of assessment for the identification of gifted students across the state of Ohio," she said. The data regarding gifted identification tells a bleak story about the decline of systematic screening and assessment for this population."

Ms. Sheldon told Rep. Fedor that all students should be screened for giftedness because some research has found that certain groups of students are not given the same consideration and therefore are not identified.

Matt Verber, state policy director for StudentsFirst Ohio, spoke in support of the exemptions included in the bill, but suggested that they be made available to all school districts. "School districts that are not currently high performing often need greater flexibility in order to improve their student performance," he told the panel.

Rep. Boyd asked if the legislature should "hold off" on defining high-performing districts because some schools are concerned about their report card scores and how they've been affected by new standards and opt-outs on tests. Mr. Verber suggested that Performance Index scores not be included in the determination.

HR DAY DESIGNATION (Clyde, K.) Designating Thomas Paine Day in Ohio, January 29, 2016.
269 (CONTINUED; 1st Hearing-Sponsor)

Rep. Clyde said a Kent State University professor and his students requested the resolution that would recognize Thomas Paine, the writer of a pamphlet titled Common Sense.

The sponsor said the pamphlet is one of the most widely read texts in the country and it was integral to the movement behind the American Revolution.

The day, recognized on Mr. Paine's birthday, would give residents reason to recognize the American leader as well as provide an opportunity for teachers to focus on the nation's founding documents, Rep. Clyde said.

State Government

HBTRANSPORTATION LAWS (Young, R., Sweeney, M.) To require the Public Utilities Commission to raise **341** the existing statutorily designated towing and storage fees annually by the percentage increase in the consumer price index, to establish a \$35 fee for the retrieval of nonmedical personal items from a motor vehicle, to modify the civil penalties applicable to violations of the towing law, to modify the calculation of the value of an abandoned vehicle to which a towing service or storage facility seeks to take title, and to make other changes to the towing law. (CONTINUED-SUBSTITUTE; 2nd Hearing-Proponent-Possible substitute)

The committee adopted a substitute version that reshapes the penalty aspect of the bill, among other changes. (Comp Doc)

The bill previously called for a \$3,500 fine for a third violation and a six-month revocation of the tower's certificate of public convenience.

"We found that was too punitive on the towers," Rep. Young said. "A six month suspension and you're basically out of business."

The sub bill implements both major and minor violations, with every three minor violations equaling one major infraction.

Other changes include:

- Requiring a vehicle to be valued at less than \$1,500 for a towing company to obtain a salvage title to a motor vehicle in its possession.

- Creating penalties for a tower who does not display a certificate of public convenience.

- Allowing the Public Utilities Commission to establish a process for reviewing towing and storage fees every five years.

- Removing a provision enabling tow operators to use an opening or crossover on a highway to change directions or drive on the shoulder or berm of a roadway.

Andrew Herf of the Association of Professional Towing-Ohio said the bill would streamline the towing process and allow towers to more easily clear their lots of old cars. He called the new penalty system "a huge advance" for the state.

"While we are on the 13th draft of the bill, I believe that the diligent work of the chairman and the sponsors have put us in a position to resolve some longstanding issues in the towing industry while continuing to protect the public from past abuses," Mr. Herf said.

Sgt. Keith Larson of the Cleveland Police Department said the bill would free up police resources and increase public safety by incentivizing towers, rather than police, to remove vehicles abandoned on public streets.

"HB 341 will encourage towers to continue to pick up abandoned vehicles by allowing for salvage titles and it will not disrupt current contracts with towers and cities across the state," he said.

Jordan Davis of the Towing and Recovery Association of Ohio said public perception of towing companies in recent decades has soured. He said the bill would provide some relief to companies from the effects of last year's bill (SB274, 130th General Assembly).

"Towing companies and police alike provide what is often a thankless, and dangerous service that most people take for granted," Mr. Davis said. "While unpleasant for few, it is a service that must continue to grow to match the demand our cities create."

Jim Shriner, of Broad and James Towing, said the current system has left him open to litigation. Currently tow operators must get addresses of vehicle owners from the BMV and send them a notification letter within five days. But because of delays with the BMV, that's not always possible, he said.

Mr. Shriner said he's currently being sued by a vehicle owner because he wasn't able to send the letter until three days past the deadline.

"HB 341 makes many of these violations into minor violations for first offenses," he said. "They do add up for habitual offenders and some violations remain major violations, as they should. The bill also gives us an opportunity to dispose of completely junk vehicles a little quicker. Many of our lots are overflowing due to the current stringent regulations."

HB STATE SEAL (Perales, R.) To add a representation of the Wright Brothers' first piloted airplane to the **386** Coat of Arms and Great Seal of the State of Ohio. (CONTINUED; 1st Hearing-Sponsor)

Rep. Perales said this bill would add a small depiction of the first aircraft piloted by the Wright Brothers to the Great Seal of the State of Ohio.

"There is arguably no invention in history that has advanced our society more than the airplane, and furthermore, there is no icon of innovation that is more associated with a state, than the Wright Flyer is with Ohio," he said.

Rep. Perales said he's heard several concerns about the bill, including questions about the cost of replacing existing seals. He said the bill includes language to ensure government and political subdivisions exhaust current supplies of objects including the seal.

He said some have also complained the introduction of a man-made component to the seal would "take away from the scene of natural wonder." But the current seal features a bundle of 17 man-made arrows, he said.

"The final concern that I have heard is that we should not change the seal out of reverence to the great seal and all of those that have served Ohio before us," he said. "I agree that we should pay respect to Ohio's great history, and I believe adding this small depiction of the Wright Flyer, while allowing the other elements of the seal to remain unchanged is both respectful of the existing seal and enhances the historical significance of the entire piece."

A similar legislative effort to add the aircraft to the seal in 1998 failed. But members of the committee expressed enthusiasm about the idea, with several thanking Rep. Perales for his work on the issue.

"Rick, we're going to get this done," Rep. Hackett said. "We really are."

"I don't think you're changing it," Rep. Sweeney added. "I think you're enhancing it or improving it."

HB MILITARY RECORDS (Perales, R.) To specify that an order for active military service or other **423** documentation regarding the call to order of an individual in the Armed Forces of the United States or the Ohio organized militia is not a public record. **(CONTINUED; 1st Hearing-Sponsor)**

Rep. Perales said the current law is unclear on whether deployment orders should be withheld in the event of a public records request.

"Leaving this law up to interpretation is potentially dangerous and Ohio has a responsibility to our public employees and military members everywhere to provide a safe environment for them and their families," he said.

Being a former military member, Rep. Perales said he believes it's crucial for troops to mentally prepare themselves for deployment - something that's harder to do when one is worried about their family's safety.

"This bill is written broadly in order to capture all branches of the armed forces, including active duty, Ohio National Guard, and reservists and will also be effective in protecting all public employees statewide," he said.

Rep. Curtin said the rationale is "understandable," but asked whether Rep. Perales would be open to having a sunset provision in the bill for historical and military research purposes.

"My only concern here is the wellbeing of the military members and their family," Rep. Perales said. "I would absolutely be amenable to some time frame where they're no longer in jeopardy or danger."

SB DAY DESIGNATION (Tavares, C., Thomas, C.) To designate October 16 as George Washington Williams **116** day. **(SCHEDULED BUT NOT HEARD (Sponsor request); 1st Hearing-Sponsor)**

HCR MAGNA CARTA (Brenner, A.) To recognize and celebrate the 800th Anniversary of the Magna Carta. **22** **(CONTINUED; 1st Hearing-Sponsor)**

Rep. Brenner said his resolution would celebrate the 800th anniversary of the Magna Carta, which was signed by King John of England on June 15, 1215.


In his testimony, Rep. Brenner said "this historic document established a foundation that continues to be a backbone to democratic philosophy."

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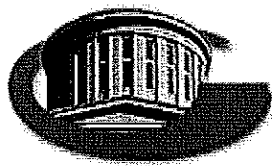
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Ohio News & Opinion For January 28, 2016

News

After flint, a call for lead testing in Cincinnati (Cincinnati Enquirer, 1/28/2016)

Ohio mom begs Congress to act on heroin epidemic (Cincinnati Enquirer, 1/28/2016)

Sittenfeld proposing state gun law change (Cincinnati Enquirer, 1/28/2016)

Bill defunding Planned Parenthood clears Ohio Senate (Cleveland Plain Dealer, 1/28/2016)

Grand jury process in Ohio to get review (Cleveland Plain Dealer, 1/28/2016)

Here's who John Kasich is sending to speak on his behalf at the Iowa caucuses (Cleveland Plain Dealer, 1/28/2016)

Permanent back-to-school sales tax holiday, child support reforms proposed in Ohio Senate (Cleveland Plain Dealer, 1/28/2016)

Planned Parenthood bill inches closer to Gov. John Kasich's desk: Ohio Politics Roundup (Cleveland Plain Dealer, 1/28/2016)

Potential VP pick Julian Castro comes to Ohio: What to watch for Thursday (Cleveland Plain Dealer, 1/28/2016)

Rob Portman supported all this. And then... (Cleveland Plain Dealer, 1/28/2016)

Sen. Rob Portman touts anti-heroin measures, even though he voted against their funding (Cleveland Plain Dealer, 1/28/2016)

'I didn't mean to be rude,' Ohio House speaker says after cutting off long prayer (Columbus Dispatch, 1/28/2016)

Drug price petition likely has enough signatures (Columbus Dispatch, 1/28/2016)

If Trump doesn't show at GOP debate, Kasich may get opening (Columbus Dispatch, 1/28/2016)

Local Government Insider: Boyce defenders say Ohio GOP chief throwing stones (Columbus Dispatch, 1/28/2016)

Minimum-wage hike, paid medical leave among Ohio Democrats' priorities (Columbus Dispatch, 1/28/2016)

Ohio Senate approves bill defunding Planned Parenthood (Columbus Dispatch, 1/28/2016)

Privacy continues to be key issue in 'fetal remains' hearings (Columbus Dispatch, 1/28/2016)

Ohio Speaker of the House cuts off long-winded pastor during prayer (Dayton Daily News, 1/28/2016)

School supply tax-free holiday may become permanent (Dayton Daily News, 1/28/2016)

Kasich campaign group fights SuperPAC (Toledo Blade, 1/28/2016)

Kasich fights back against criticism (Toledo Blade, 1/28/2016)

Editorials

Where are the new rules for drilling in Ohio? (Akron Beacon Journal, 1/28/2016)

Opinion: Know signs of labor trafficking (Cincinnati Enquirer, 1/28/2016)

Aiming at Ohio's opioid epidemic: Rob Portman (Opinion) (Cleveland Plain Dealer, 1/28/2016)

Tardy watchdogs (Columbus Dispatch, 1/28/2016)

Kasich pitch a strong case for Democrats (Toledo Blade, 1/28/2016)

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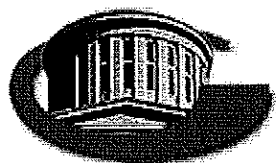
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Tracked Committees

House State Government

2/3/2016, 2:30 p.m., Rm. 121

HB **MILITARY RECORDS** (Antani, N.) To specify that military records provided by an officer or employee of a township or 424municipal corporation to the township or municipal corporation for personnel matters are not public records.

HB **IMITATION FIREARMS** (Patmon, B.) To generally ban the manufacture, sale, and public display of imitation firearms 119and the disguising of a firearm to make it resemble an imitation firearm.

HB **MOTOR FUEL** (Burkley, T.) To create a qualified immunity for the dispensing of incompatible motor fuel, to limit the 186Product Liability Law with respect to motor fuel and motor fuel additives, and to prohibit an insurer from denying a claim on the basis that an underground storage tank is not compatible with a motor fuel if the State Fire Marshal has determined otherwise.

HB **STATE SEAL** (Perales, R.) To add a representation of the Wright Brothers' first piloted airplane to the Coat of Arms 386and Great Seal of the State of Ohio.

SB **CONTRACTOR LABOR** (Uecker, J.) To prohibit a public authority from requiring a contractor to employ a certain 152percentage of individuals from the geographic area of the public authority for the construction or professional design of a public improvement.

HB **TRANSPORTATION LAWS** (Young, R., Sweeney, M.) To require the Public Utilities Commission to raise the existing 341statutorily designated towing and storage fees annually by the percentage increase in the consumer price index, to establish a \$35 fee for the retrieval of nonmedical personal items from a motor vehicle, to modify the civil penalties applicable to violations of the towing law, to modify the calculation of the value of an abandoned vehicle to which a towing service or storage facility seeks to take title, and to make other changes to the towing law.

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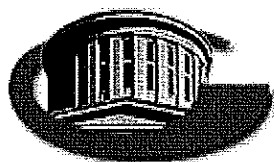
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Husted Leads Statewide Hopefuls In Latest Campaign Finance Filings

Opponents Of FirstEnergy, AEP Purchase Agreements Seek Federal Intervention With FERC Filings

House District 49: Voters To Choose Between Two Familiar Names On Democratic Primary Ballot

New Member Profile: Boggs To Continue Family Tradition In House

Report: Ohio's Death Penalty Applied Unevenly Based On Race, Gender And Geography

In Seventh Debate, Kasich Leaves Sparring To Others, Maintains New Hampshire Focus

Politics Notebook: Husted Issues Absentee Ballot Directive; Outcry Continues Over Sebring Lead Problem; Strickland Touts Labor Backing

Agency Briefs: \$58.6 Million Approved For Transportation Projects; Liquor Sales Top \$1 Billion; County Unemployment Numbers Released...

Education Notes: Charter School Leaders Say Adversity, Funding Inequity Negatively Impact Industry; OSU Studying Classroom Ecology...

Ohio Business: Steel Companies' Sales Declines Continue In Fourth Quarter; Sherwin-Williams Sets Annual Sales Record; AEP, Cliffs...

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Supplemental Event Planner

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Legislative Committee Schedules beginning 2/1/2016

Monday, February 1

Joint Committee on Agency Rule Review (*Committee Record*) (Chr. Uecker, J., 466-4086), Senate Finance Hearing Rm., 1:30 p.m.

Tuesday, February 2

House Rules & Reference (*Committee Record*) (Chr. Amstutz, R., 466-1474), Rm. 119, 10 a.m.

House Finance & Appropriations (*Committee Record*) (Chr. Smith, R., 466-1366), Rm. 313, 11 a.m.

SB CAPITAL REAPPROPRIATIONS (Coley, B.) To make capital reappropriations for the biennium **260** ending June 30, 2018. (1st Hearing-Sponsor-Pending referral)

Wednesday, February 3

House State Government (*Committee Record*) (Chr. Maag, R., 644-6023), Rm. 121, 2:30 p.m.

HBMILITARY RECORDS (Antani, N.) To specify that military records provided by an officer or employee of **424a** township or municipal corporation to the township or municipal corporation for personnel matters are not public records. (1st Hearing-Sponsor)

HBITIMITATION FIREARMS (Patmon, B.) To generally ban the manufacture, sale, and public display of **119** imitation firearms and the disguising of a firearm to make it resemble an imitation firearm. (1st Hearing-Sponsor)

HBMOTOR FUEL (Burkley, T.) To create a qualified immunity for the dispensing of incompatible motor fuel, **186** to limit the Product Liability Law with respect to motor fuel and motor fuel additives, and to prohibit an insurer from denying a claim on the basis that an underground storage tank is not compatible with a motor fuel if the State Fire Marshal has determined otherwise. (3rd Hearing-All testimony-Possible vote)

HBSTATE SEAL (Perales, R.) To add a representation of the Wright Brothers' first piloted airplane to the Coat **386** of Arms and Great Seal of the State of Ohio. (2nd Hearing-Proponent)

SB CONTRACTOR LABOR (Uecker, J.) To prohibit a public authority from requiring a contractor to employ **152a** certain percentage of individuals from the geographic area of the public authority for the construction or professional design of a public improvement. (3rd Hearing-All testimony-Possible amendments)

HBTTRANSPORTATION LAWS (Young, R., Sweeney, M.) To require the Public Utilities Commission to raise **341** the existing statutorily designated towing and storage fees annually by the percentage increase in the consumer price index, to establish a \$35 fee for the retrieval of nonmedical personal items from a motor vehicle, to modify the civil penalties applicable to violations of the towing law, to modify the calculation of the value of an abandoned vehicle to which a towing service or storage facility seeks to take title, and to make other changes to the towing law. (3rd Hearing-Opponent)

Tuesday, February 9

House Session (Chr. Rosenberger, C., 466-3357), House Chamber, 11 a.m.

- If needed

Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.


Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.

Wednesday, February 10

Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11 a.m.

House Session (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.

NOTE: Click bill or resolution number links to see the legislative history compiled by Gongwer News Service. Click the  after a bill number to create a saved search and email alert for that bill. Click "Full Text" if present to view the text of legislation on the Legislature's Web site.

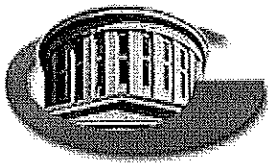
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GONGWER Ohio
The Record of Capitol Square Since 1906

Event Planner

Sunday, January 31

Deadline to renew Executive and Retirement System registrations in OLAC, (Registrations filed after this date will require a signature page along with the filing fee)

Monday, February 1

Deadline for filing September-December 2015 lobbying reports

Deadline for filing September-December 2015 Updated Post Employment Disclosure Statements

Tuesday, February 9

Ohio Telecom Association 6th Annual Legislative Open House, Statehouse Atrium, Columbus, 4 p.m.

Sen. Peggy Lehner (R-Kettering) fundraiser, Athletic Club of Columbus, The Gold Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$1,000, Event Sponsor \$500, Individual \$350 to Citizens for Lehner)

Wednesday, February 10

Ohio Alliance of Boys and Girls Clubs' Annual Legislative Breakfast, Statehouse Atrium, Columbus, 9 a.m.

Rep. Wes Retherford (R-Hamilton) fundraiser, Capital Club, 41 S. High St., Columbus, 11:30 a.m., (\$1,000, \$500 or \$350 to Friends of Wes Retherford)

Ohio Lobbying Association Legislative Reception, Sheraton Downtown Columbus, 75 E. State St., Columbus, 5:30 p.m., (RSVP to info@ohiolobby.org)

Thursday, February 11

Ohio Associated Press 2016 Legislative Preview Session, Ohio Judicial Center, 65 S. Front St., Columbus, 9 a.m.

Tuesday, February 16

Rep. Dave Hall (R-Millersburg) & Rep. Tim Ginter (R-Salem) fundraiser, Capital Club, River Rm., 41 S. High St., Columbus, 5 p.m., (\$1,000, \$500 or \$350 to Citizens for Hall and/or Tim Ginter for State Representative)

Wednesday, February 17

Rep. Ron Amstutz (R-Wooster) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to Citizens for Amstutz)

Rep. Niraj Antani (R-Miamisburg) fundraiser, Ringside, 19 N. Pearl Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Niraj Antani)

Rep. Sean O'Brien (D-Brookfield, Candidate 32nd Senate District) fundraiser, The Chintz Room, 121 S. High Street, Columbus, 5 p.m., (Host - \$2,500; Sponsor - \$1,000; Friend - \$500 to Committee to Elect Sean J O'Brien)

Rep. Janine Boyd (D-Cleveland Hts.) & Rep. Stephanie Howse (D-Cleveland) fundraiser, The Chintz Room, 121 S. High St., Columbus, 5 p.m., (Sponsor: \$1,000, \$500, \$250 to Friends of Janine Boyd and/or Friends of Stephanie Howse)

Tuesday, February 23

Rep. Stephen Slesnick (D-Canton) fundraiser, The Chintz Room, 121 S. High St., Columbus, 5 p.m., (Sponsor: \$1,000, \$500, \$250 to Committee to Elect Stephen Slesnick)

Sen. Frank LaRose (R-Copley) fundraiser, Athletic Club of Columbus, The Gold Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$1,000, Event Sponsor \$500, Individual Attendee: \$350 to LaRose for Senate)

Ohio Council of Retail Merchants annual legislative reception, The Lounge at the Athletic Club of Columbus, 136 E. Broad St., Columbus, 5 p.m.

Wednesday, February 24

Ohio Legislative Black Caucus Day of Action, 77 S. High St., Columbus, 10 a.m.

Rep. Robert Sprague (R-Findlay) and Rep. Mike Duffey (R-Worthington) fundraiser, Chintz Room, 121 S. High Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Sprague for State Representative and/or Citizens for Duffey)

Sunday, March 6

Rep. Bill Blessing (R-Colerain Township) and Rep. Andy Thompson (R-Marietta) fundraiser, Little Palace, 240 S. 4th Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Blessing and/or Andy Thompson for State Representative)

Wednesday, March 9

American Heart Association's annual advocacy day, Riffe Center Capitol Theatre Lobby, 77 S. High St., Columbus, 8:30 a.m.

Sen. Jim Hughes (R-Columbus) fundraiser, Phillips Coney Island, 450 W Broad Street., Columbus, 5 p.m., (Gold Level - \$2,500, Silver Level - \$1,500, Bronze Level - \$1,000 or \$350 per person to Committee for Jim Hughes)

Wednesday, April 6

Ohio Restaurant Association Lobby Day, Riffe Center, 77 S. High St., Columbus

Ohio Soft Drink Association Advocacy Day at the Statehouse

Ohio Council of County Officials' Legislative Reception, Statehouse Atrium, Columbus, 5 p.m.

Tuesday, May 24

Ohio Association of Health Plans Annual Legislative Reception, Statehouse Atrium, Columbus, 5 p.m., (Please RSVP to Stacy Bewley at sbewley@oahp.org or for any questions call 614-228-4662)

Sunday, June 26

DeWine family ice cream social

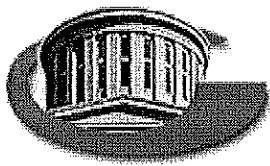
DeWine family ice cream social

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GONGWER Ohio

The Record of Capitol Square Since 1906

Volume #85, Report #19 -- Friday, January 29, 2016

Husted Leads Statewide Hopefuls In Latest Campaign Finance Filings

Secretary of State Jon Husted topped his fellow Republicans planning to seek another statewide office in 2018, as the gubernatorial hopeful on Friday reported more than \$1 million in contributions over the last six months.

Mr. Husted listed more than \$53,600 in expenditures and had nearly \$1.2 million on hand, according to his annual campaign finance filing, which details activities since the July semiannual report.

Attorney General Mike DeWine, who also has his eye on a run for governor, reported more than \$636,000 in contributions, just over \$27,000 in expenditures and more than \$1 million cash on hand.

Auditor Dave Yost, a potential attorney general candidate, reported \$278,000 in contributions, \$29,500 in spending and a balance of \$423,000.

Term-limited Senate President Keith Faber (R-Celina), who is considering a statewide run but is first seeking a House seat in this fall's elections, reported an on-hand balance of nearly \$280,000. His report listed about \$190,000 in contributions and \$520,000 in expenditures, most of which was directed to the Republican Senate Campaign Committee.

Gov. John Kasich raised nearly \$27,700 in his state campaign, spent \$62,700 and had nearly \$202,000 cash on hand. Most of the governor's fundraising efforts have gone to his presidential campaign. Presidential candidates and committees must report their 2015 numbers to the Federal Election Commission by Sunday night.

Treasurer Josh Mandel reported \$11,000 in contributions and nearly \$109,000 in expenditures, giving him a balance of just under \$114,000.

Mr. Mandel earlier this month filed with the Federal Elections Commission creating a leadership PAC, called Justice Opportunity Strength Honor PAC or JOSH PAC, and a joint fundraising committee called Team Josh, consisting of JOSH PAC, the Republican Party of Cuyahoga County's Federal Campaign Committee, and his campaign committee, Citizens for Josh Mandel Inc.

Mr. Mandel is not expected to announce if he intends to run for U.S. Senate until after November's presidential election, but the move allows him to start raising money ahead of a possible rematch against Sen. Sherrod Brown (D-Avon).

Former Democratic Rep. Connie Pillich, who lost a 2014 bid for state treasurer against Mr. Mandel, has kept her campaign fund active and reported \$148,000 in contributions and an on-hand balance of \$161,000.

Supreme Court: In the races to fill two open Ohio Supreme Court seats, 1st District Court of Appeals Judge Pat DeWine has amassed the largest campaign war chest.

Mr. DeWine has \$419,906 on hand, according to his annual campaign finance report filed with the secretary of state's office. He spent \$42,306 and raised \$216,242.

11th District Court of Appeals Judge Cynthia Rice, a Democrat who will face Mr. DeWine in the general election, raised no money and has none on hand, according to her annual campaign finance report. She did spend \$5,419.

In the other race, 1st District Court of Appeals Judge Pat Fischer has \$152,823 on-hand, according to his annual campaign finance report. He spent \$35,642 and raised \$166,791.

His primary opponent, 11th District Court of Appeals Judge Mary O'Toole, has just \$2,845 on-hand, according to her report. She raised \$4,680 and spent \$1,929.

The winner of that primary race will face Cuyahoga County Common Pleas Court Judge John O'Donnell in the general election. According to his report, he has just \$1,478 on-hand. He raised no money, but spent \$2,028.

Caucus Reports: Among the four legislative caucuses, Republicans who control the chambers enjoyed significant leads over their Democratic counterparts.

The Republican Senate Campaign Committee reported raising \$1.637 million and spending \$841,000, leaving it with a balance of \$3.3 million as the elections near.

Ohio Senate Democrats reported raising \$234,095 and spending \$173,606, leaving the group with more than \$166,000 on hand.

Among the top contributors to the GOP caucus were Sen. President Keith Faber (R-Celina), who donated at least \$188,000; Sen. Randy Gardner (R-Bowling Green), who contributed at least \$137,000; Sen. Larry Obhof (R-Medina), who donated at least \$105,000 and Sen. John Eklund (R-Chardon), who chipped in more than \$96,000.

The large majority of the caucus' expenditures were made to Optimus Consulting of Washington, D.C. for consulting and data services.

Sen. Minority Leader Joe Schiavoni (D-Boardman) provided the largest contribution of the Democratic caucus' funds, with a donation of \$40,000.

The next three largest contributions came from AFSCME, OAPSE AFSCME Turnaround Ohio PAC and IBEW PAC Voluntary Fund.

That caucus' largest reported expenses were to Spater & Davis-Williams for litigation costs and to the Ohio Democratic Party for payroll expenses.

The Ohio House Republican Organizational Committee reported raising \$2.302 million during the period and spending almost \$344,000, leaving it with a balance of \$4.36 million.

House Speaker Cliff Rosenberger (R-Clarksville) donated \$255,000 to the caucus, which saw its largest expenditures made to the Ohio Republican Party and Kerschner Consulting.

The House Democratic Caucus Fund reported raising \$447,801 and spending \$171,493. It had a total of \$642,695 on hand.

House Minority Leader Fred Strahorn (D-Dayton) led the way with contributions to the caucus, donating a total of \$141,000. Rep. Nickie Antonio (D-Lakewood) added another \$65,000.

Its largest expenses were a series of payments to the Ohio Democratic Party for payroll and to Triumph Communications for consulting services.

Notable Legislative Filings: In the 24th Senate District, former House member Matt Dolan leads the three-way GOP primary's dollar contest at this point with more than \$133,000 on hand, including \$109,000 collected during the reporting period.

Rep. Mike Dovilla (R-Berea) has \$88,000 on hand after taking in \$85,000 and spending \$71,000, according to the filings. Rep. Nan Baker (R-Westlake) reported collecting \$34,000 and an on-hand balance of about \$33,000.

Rep. Wes Retherford (R-Hamilton), who faces former Rep. Courtney Combs in the 51st House District primary, has \$20,000 on hand after raising more than \$15,000 and spending \$27,500 during the period, his filings show.

Mr. Combs, meanwhile, reported an on-hand balance of \$838.

Sen. Lou Gentile (D-Steubenville), majority Republicans' biggest target this fall, reported contributions of about \$120,000 and an on-hand balance of \$321,000.

Rep. Ryan Smith (R-Bidwell), the House Finance chairman, reported raising \$161,000 and sending \$175,000 to the Ohio House Republican Organizational Committee, leaving an on-hand balance of about \$150,000.

Sen. Scott Oelslager (R-N. Canton), the Senate Finance chairman, listed \$89,000 in contributions and an on-hand balance of \$110,000.

Rep. Cheryl Grossman (R-Grove City), who was pressured to forego the primary for the 16th Senate District, listed about \$34,000 in contributions and an on-hand balance of nearly \$143,000.

The endorsed candidate in that race, Rep. Stephanie Kunze (R-Hilliard) reported raising \$81,000 and had about \$36,000 on hand, according to her filing.

Opponents Of FirstEnergy, AEP Purchase Agreements Seek Federal Intervention With FERC Filings

Independent power producers are asking for the Federal Energy Regulatory Commission to block proposed Power Purchase Agreements from AEP and FirstEnergy.

The Ohio Consumers' Counsel has also signed onto the complaints, filed Wednesday, saying FERC review of the proposals is necessary to protect Ohio consumers from the "costs of an unjust, unreasonable and abusive affiliate contract."

The complaints were filed by the Electric Power Supply Association, Retail Energy Supply Association, Dynegy, Eastern Generation, NRG Power Marketing, and GenOn Energy Management - a list that includes several members of the recently formed PPA-opposing Alliance for Energy Choice. (See Gongwer Ohio Report, December 15, 2005)

Any person or entity wishing to submit comment on or protest the filings must do so by 5 p.m. Feb. 16, according to a public notice from FERC. Both complaints request expedited action given that PUCO is expected to act on both plans in the first quarter.

The complaint against FirstEnergy calls the plan "a massive ratepayer-funded bailout."

"This bailout may provide economic stability for their common parent, FirstEnergy, but it will do so by imposing hundreds of millions, if not billions, of dollars in above-market costs on captive retail consumers, and at the price of potentially enormous market distortion," reads the complaint.

The AEP complaint, which reads similarly, uses the same logic to claim the plan would drive up consumer costs and damage the market.

"When combined with a similar scheme proposed by FirstEnergy, the affiliate PPA will result in the subsidized retention of over six GW of generation that would, according to AEP and FirstEnergy, otherwise retire," the AEP complaint reads. "It is hard to imagine a more clear threat to the viability of the PJM market or a circumstance that more clearly and urgently requires the commission's attention."

Representatives from FirstEnergy and AEP Ohio said they believe that PUCO, and not FERC, has jurisdiction over the matter.

"The PUCO has conducted an extensive review process over the last two years to ensure that AEP Ohio customers are treated fairly and benefit from the PPA," AEP spokeswoman Melissa McHenry said. "The parties filing at FERC should participate in that process instead of appealing to a federal agency for relief at the last stage of the process."

FirstEnergy spokesman Doug Colafella said the company anticipated opponents would take such action. He said that when Ohio's electric utility industry was deregulated in 2008, utilities were granted authority to conduct transactions with their unregulated affiliates.

"That arrangement extends to this proposed PPA," he said. "We don't believe FERC approval of the PPA is necessary. And that's an issue we carefully evaluated before we filed at the PUCO."

The federal filings are the latest in the back-and-forth that has waged for more than a year. In December, AEP and FirstEnergy each filed settlements revising their proposals to guarantee profits on aging power plants. (See [Gongwer Ohio Report, December 14, 2015](#))

On Friday, the opposing Alliance for Energy Choice released results of a poll conducted by Fallon Research and Communications that suggest voters disapprove of the proposals.

According to their poll, more than 75% of voters oppose the idea of Ohio allowing the two companies to charge extra to subsidize their power plants. More than 63% believe the request is an "unneeded government handout" that will drive up costs for consumers, the poll said, and 55% oppose guaranteed profits from the increase.

The poll was conducted between Jan. 6-10 of 802 randomly-selected registered voters.

"AEP reported a \$2 billion profit last year, even as the company claims that their plants are not making enough money," Alliance spokesperson Todd Snitchler, a former PUCO chairman, said in a statement. "Why should Ohioans be forced to pay the company more?"

The alliance members believe the proposals will drive up costs for consumers. Several power companies - Dynegy and Exelon - have offered competing proposals in an effort to show PUCO should open the process up for competitive bidding in order to result in a more consumer-friendly plan. (See [Gongwer Ohio Report, January 12, 2016](#))

But both FirstEnergy and AEP argue that, although some initial costs may increase, their deals will protect consumers and result in long-term savings.

"So, any allegations that AEP Ohio customers need to be protected from excessive charges are simply untrue," Ms. McHenry said.

House District 49: Voters To Choose Between Two Familiar Names On Democratic Primary Ballot

A Democratic primary in Stark County to replace term-limited [Rep. Stephen Slesnick](#) is a competition to determine whose name carries the most weight with voters who've seen both candidates on previous ballots.

Canton City Council President Thomas West and former business owner Joyce Healy-Abrams, whose father and brother both served in the House, are vying for the shot to take on Republican Daniel McMasters this fall in the left-leaning district.

Both have been unsuccessful in running for state offices in the past, but are equally confident that this is their opportunity to represent the left-leaning 49th House District that encompasses Canton and Massillon.

Mr. West, 51, ran against incumbents Rep. Kirk Schuring, who was then a senator, and Rep. Slesnick. Ms. Healy-Abrams, 55, meanwhile, ran against U.S. Rep. Bob Gibbs (R-Lakeview) in 2012.

Reaching out to all voters and showing that he understands the struggles they may be experiencing is something Mr. West said he's learned from his previous campaigns for the House, and he believes that lesson will help him win this time around.

"Although I came up short during those two campaigns, I never lost the passion to solve the social ills that plague our community," he said.

Having been a social worker for 25 years, he said he is the best candidate because he can connect with constituents on a more personal level.

"I don't know Joyce's background when it comes down to policy but I can tell you that I've walked it. I've lived it," he said. "At the state level you'll find a lot of businessmen, a lot of insurance people. I bring a fresh approach coming from a social work background. I'm an everyday guy who is experiencing everything my constituency has."

Ms. Healy-Abrams, who sold her records and information management business and moved back to Canton from Columbus eight years ago, said she's better prepared to tackle the Statehouse because of her experience running and growing a company.

"I think small businesses are the heart of a community and I think that's kind of what cities and urban areas have lost over the last 20-25 years with rural areas expanding and suburban areas expanding and factories and businesses moving outside of city limits," she said. "I'd like to see if there is a way to enhance community efforts within the city and a program to encourage more businesses in cities."

Having financial security as a result of building a successful business herself also means she'll be able to focus all her efforts on lawmaking and her constituents and she won't play politics simply to keep the job, she said.

"I'm fortunate enough to have been able to be successful in my private career and that allows me to be in this position to run for public office and not have to worry about siding with partisan politics for the wrong reasons, not have to worry about being direct in position for my constituents and not having to worry about being led down the wrong path because I need job security," Ms. Healy-Abrams said.

"I have more freedom to tell it like it is and not be afraid to stand up for what I believe is true and right," she added.

If elected, she said she'd gear her attention toward addressing women's issues, replacing Common Core, assisting small businesses and congressional redistricting.

In talking with voters, though, the biggest issue Ms. Healy-Abrams said she's heard is that they aren't aware there is a primary election coming up, despite it being a presidential election year.

The lack of interest in elected leaders has been shocking for the candidate whose family has a long tradition in public service and an interest in public policy, she said. Her brother, William Healy II held the House seat before Rep. Slesnick and her father, William Healy, represented Canton in the lower chamber for 26 years.

Having family ties to the Statehouse "has kind of provided me with that platform of caring about the issues," Ms. Healy-Abrams said. "Unfortunately a lot of people don't even know there is an election going on, which is amazing to me. It's not on their top 10 list of things to do and I'm hoping that we can change that. I would love to be able to get people excited about caring about who they vote for and why they are voting for them."

One way she might be able to get people more interested in voting is by making congressional districts more competitive, she said, opining that she was unable to oust Rep. Gibbs because of gerrymandering.

From Mr. West's vantage point, minority residents are paying attention to this election because it could be a "significant win" for the African American community if he is elected, he said.

He said he'd be the first of his race to ascend beyond local politics in Canton and that once in the House he would work to address both ethnic and income disparities.

In addition to pushing for more minority health funding and minority business assistance, Mr. West said he'd join fellow Democrats in calling for local government fund increases instead of adding cash to the rainy day fund and more equitable school funding.

Serving on city council for 12 years, he said, "I know what it feels like when the state has taken a lot of resources from our local government fund, which put us in harm's way when it comes down to our safety forces."

"It put us in a situation where we have to go back to our taxpayers. We have to continue to burden our local districts for more money to make ends meet, so I'd like to go to the state level and be able to advocate for resources so that we can meet our needs here locally."

Although creating a school funding model that will satisfy everyone at the table has proven to be an impossible task, Mr. West said he has a handful of ideas to infuse more state money into schools that need it and give taxpayers a break.

He wasn't ready to provide details of the plan, but said the process starts with both sides agreeing that schools are not being adequately funded and coming to the table together to discuss options.

"When you have a big issue like the funding of education, I think that we have to sit down and make it a priority to take that first step and eventually we'll be able to tackle the staircase and I'm not sure they've taken the first steps that's needed yet," he said.

Mr. West and his wife have two children and have lived in Canton for more than 25 years.

A Canton native, Ms. Healy-Abrams and her husband have five children.

Subscribers Note: This is part of a series of stories on contested primaries heading into the March 15 election. Updated candidate lists and related information are available on the [Gongwer Elections Page](#).

New Member Profile: Boggs To Continue Family Tradition In House

Kristin Boggs grew up knowing the life of an Ohio lawmaker. Her father, Bob Boggs, was a state representative, state senator and director of the Ohio Department of Agriculture. Her uncle, Ross Boggs Jr., was a state representative and minority leader.

Ms. Boggs brought the family name back to the Statehouse this week after she was chosen by House Democrats to fill the 18th House District seat left empty by Rep. Michael Stinziano, who was elected to the Columbus City Council. (See [Gongwer Ohio Report, December 28, 2015](#))

"Kristin's passion for public service and dedication to fighting for working people will be a considerable asset to our caucus," [Minority Leader Fred Strahorn](#) (D-Dayton) said following Tuesday's unanimous Democratic vote to seat the new lawmaker. "I am confident that with her experience as assistant attorney general and life-long advocacy work, Rep. Boggs will offer a unique and valuable perspective that will serve her constituents well."

Already considered the favorite in a three-way primary, Ms. Boggs now has even more of a leg up on Joshua Clark and Adhanet Kifle, who were both also considered for the appointment and filed to run in the March 15 elections. Republican Whitney Smith will take on the winner this fall in the left-leaning district.

Ms. Boggs, 37, is an Ashtabula native and a lifelong public servant. She previously worked as an assistant attorney general and oversaw the legal unit of the Crime Victims Services section.



Kristin Boggs

"I believe that being an attorney and being an assistant AG has taught me how to be a strong advocate and will give me context to the laws and policies being debated at the next level," she said in an interview.

Ms. Boggs is a Kent State University graduate with a degree in communications. She served a year in AmeriCorps, working outside McClelland Air Force Base in California, then spent a year as a substitute teacher. She went to law school at Cleveland-Marshall College of Law and started at the Attorney General's Office in 2007.

At the AG's office, Ms. Boggs worked on issues relating to student loans, predatory lending and construction litigation, among others.

In the legislature Ms. Boggs plans to focus on student loans, education policies, job creation and other matters to help Columbus and Central Ohio.

"I am looking forward to going to work for the people of the 18th House District. It will be an honor to serve the community," she said. The lawmaker on Friday announced a "listening tour" with several stops planned throughout the district in early February.

"There are many important issues being debated at the statehouse, and I will strive to advance policies that keep central Ohio growing in the direction that our residents expect and deserve," she said. "Columbus enjoys a world class university system, a growing economy and thriving cultural community - I will work hard to make sure that all individuals and families have opportunity, equality, and success."

The lawmaker's family experience goes beyond politics. Her mother was a teacher and many family members worked in agriculture, she said.

"Having those kinds of dinner conversations when your mom was a teacher and your dad was working on policy every week," Ms. Boggs said, "I can't imagine what my life would be like had I not grown up in that, and I'm sure it's shaped me in ways that I don't even recognize today."

Rep. Jack Cera (D-Bellaire), who led the House Democratic screening panel that selected Ms. Boggs, praised her and the other candidates who screened in a statement.

"I was pleased to see so many engaged and qualified applicants interested in giving back to their community through public service," Mr. Cera said. "Kristin's qualifications and experience make her the best choice to serve the 18th House district. I am confident constituents will have a real advocate for their future in Ms. Boggs."

Ms. Boggs and husband Adam Ward reside in Italian Village.

Report: Ohio's Death Penalty Applied Unevenly Based On Race, Gender And Geography

A new study has found race, gender and geographical bias in the application of the death penalty in Ohio.

Conducted by University of North Carolina Professor Dr. Frank R. Baumgartner, the study found that capital punishment in the state is more likely to be applied when a homicide victim is white or female or the crime occurs in a select few counties.

"These disparities are so great that they call into question the equity of the application of the harshest penalty, adding to growing concerns that the death penalty is applied in an unfair, capricious, and arbitrary manner," Dr. Baumgartner writes.

Between 1976, when the death penalty was reinstated nationwide, and 2014 the state has conducted 53 executions, according to the study. More than half stemmed from crimes that took place in just four of Ohio's 88 counties: Lucas, Summit, Cuyahoga and Hamilton.

The study also calls into question the use of capital punishment as a deterrent to murder. The 19 counties that have conducted at least one execution since 1976 have a per capita murder rate of 1.97, whereas the 69 counties that have not utilized capital punishment have a per capita murder rate of just 0.47.

The study also found that the race and gender of the homicide victim is a determining factor in which offenders receive the death penalty. According to the data, a homicide in Ohio results in the death penalty in just 0.53% of cases. However, that figure rises to 0.81% when the victim is white and falls to 0.29% when the victim is black.

When the victim is male, the execution rate falls to 0.35%, but rises to 1.05% when the victim is female, according to the study.

The largest disparity is evidenced when the victim is a white female, leading to the death penalty in 1.55% of cases, the study found.

When the victim is a black male, according to the study, the death penalty is handed down in just 0.25% of cases

"The importance of the victims' race in the application of the death penalty has created a system where whites are likely to face the death penalty only for within-race crimes, and blacks for within-race and cross-race crimes," Dr. Baumgartner writes.

Sen. Charleta Tavares (D-Columbus) said the study "re-enforces what we have known for years."

"When you don't prosecute the death of black males as you do white females, you are essentially telling black males they are not worth as much, and that their lives do not matter," she said in a statement. "It is reminiscent of the darkest eras in American history, when the death of a white woman was seen as the ultimate crime that must be punished to the fullest extent of the law, but the death of a black male was not a cause for concern."

The study also found that 65% of all executions carried out in Ohio between 1976 and 2014 were in cases in which the victim was white, despite the fact that 43% of all homicide victims in that time period were white. Just 27% of all homicide victims were female, but 52% of all executions carried out were in cases in which the victim was female.

"At the very least, this data should give prosecutors pause when determining whether to seek the death penalty," Dr. Baumgartner concluded in his report. "If left unaddressed, these racial, gender, and geographic disparities may erode judicial and public confidence in the state's ability to fairly administer the ultimate punishment. A punishment that is so arbitrarily and unfairly administered could reasonably be deemed unconstitutional."

Of the 52 executions carried out in Ohio since 1972, 34 of the condemned killers were white, while 19 were black.

In Seventh Debate, Kasich Leaves Sparring To Others, Maintains New Hampshire Focus

If some thought Gov. John Kasich would be a more high profile presence on the debate stage Thursday thanks to the absence of frontrunner Donald Trump, they were mistaken.

But some suggest that might work in the governor's favor since he successfully avoided attacks from rivals and was able to maintain his laser-focus on courting New Hampshire voters.

During Fox News' Des Moines debate, Gov. Kasich actually spoke the fourth-most of the candidates, with eight minutes and 52 seconds of speaking time, according to a tally by NPR. That compares to 13-plus minutes afforded to Sens. Marco Rubio and Ted Cruz, and the nearly nine-and-a-half minutes enjoyed by former Gov. Jeb Bush.

But Gov. Kasich received fewer questions than those of other candidates and had virtually no interaction with his rivals, which prompted the *Cincinnati Enquirer* to opine that it "nearly put him in a different debate than the other six Republican presidential candidates on the stage Thursday night."

The *Cleveland Plain Dealer's* posited that "had Kasich been more noticeable Thursday night, Bush and Christie might have been more tempted to attack, as their allies have done in ads. Kasich kept his message positive. Even when the moderators tried to draw him into conflict with Cruz and Rubio, he resisted. And no one tried to land a punch on him."

Speaking to the *Columbus Dispatch*, Sabato's Crystal Ball communications director Kyle Kondik said the governor's low-key performance may be an asset. "Better for him to let the others - particularly Bush and Rubio - continue to bloody each other, letting him potentially finish ahead of both of them in the Granite State," he told the *Dispatch*.

According to an analysis by FiveThirtyEight, Gov. Kasich received five questions - tying with retired neurosurgeon Ben Carson for the fewest. Sen. Rubio received nine, New Jersey Gov. Chris Christie eight, Sen. Ted Cruz and Gov. Jeb Bush seven, and Kentucky Sen. Rand Paul six.

Gov. Kasich, Gov. Christie and Mr. Carson received no opportunities to reply to other comments. In contrast, Sens. Rubio and Cruz each received five opportunities to reply, and Gov. Bush and Sen. Paul got one each.

His first question came roughly 14 minutes into the debate, when asked why he rejects the establishment label. In that question and others, unlike other candidates who tailored their appeal to the Iowa audience, Gov. Kasich remained centered on New Hampshire - including referencing receiving endorsements from seven of the state's eight newspapers.

"We cannot fix things in this country - the Social Security, the border, balancing the budget, getting wages to grow faster - unless we lead as conservatives, but we also invite people in from the other party," Gov. Kasich said. "We have to come together as a country. And we have to stop all the divisions."

He then faded from view for a time, aside from two unsuccessful attempts to interject on foreign policy questions to other candidates that were rebuffed by moderators.

Twenty-four minutes later - about 38 minutes into the debate - he received his second question when asked about his apparent backing in a previous debate of phone encryption technology.

Instead of answering - he said such sensitive security issues should be "solved in the Situation Room of the White House" - Gov. Kasich pivoted back to foreign policy.

"But we have a unique time in America to connect with people all around the world that understand that there's an existential threat against all of them: the Arabs, the Jordanians, the Saudis, the Egyptians, our friends in Europe, including the Turks," he said. "So we have a unique opportunity to bring everybody together."

When asked about the ongoing Flint, Michigan, water crisis, Gov. Kasich said governors must act decisively and swiftly in such situations.

"We have to have an attitude when we're in government of servanthood," he said. "That's what really matters. We serve you. You don't serve us. We listen to you and then we act."

He did not mention the unfolding water quality concerns in Sebring, where earlier this month the Ohio EPA acknowledged it learned in September that some Sebring homes had water samples with higher than permissible lead content. Citizens weren't alerted until this month and the OEPA is now pursuing a criminal investigation against the village's water superintendent and on Sunday admitted it should have taken a more active role in ensuring the village alerted residents. (See Gongwer Ohio Report, January 25, 2016)

When asked of Ohio's Medicaid expansion, he said the move brought Ohio dollars back home, away from the federal government, and allowed the state to better serve the mentally ill and drug addicted.

"In terms of my faith, look, all I say is that when I study scripture, I know that people who live in the shadows need to have a chance," he said. "The time has come to stop ignoring the mentally ill in this country and begin to treat them and get them on their feet, along with, of course, with treating the drug-addicted."

When questioned on the Iran Deal, specifically Sen. Rubio's stated intention of "tearing it up on day one," Gov. Kasich advocated for an aggressive approach toward Iran and again called for the U.S. to align with allies in preparation to resume sanctions.

"Number one, if they violate it, we need to move against them," he said. "And number two, if we find out they're developing a nuclear weapon and we know how to get to it, we're going to go take it out. That is what we have to do. We cannot let things get farther down the road, like we did with North Korea."

Given the chance by moderators to follow up on those remarks, he again pressed for unity.

"See, I think there is an opportunity to bring the world together," he said. "The Turks are being threatened. We know about the French. We know about the Belgians. We know about the Brits. Everybody is under fire and under attack, and we have to stand together as an alliance."

In his closing remarks, he cast himself in contrast to gloom-and-doom candidates by emphasizing the need for a "positive attitude" and an "optimistic approach."

"You know, one of our biggest national security issues is the world looks at us some time, and we look at each other and say, why can't we solve problems?" Gov. Kasich said. "Well, I've got news for you: we can. We can in fact create jobs and provide job security. We can create a situation where wages begin to rise. We can create a situation for our children to be able to get a decent job to pay down their college debt. We can re-assume our role in the world."

The next debate - to be sponsored by ABC News/WMUR/IJReview - will take place Feb. 6 in Manchester, New Hampshire. To compete, candidates must be a top three finisher in the Iowa caucuses Feb. 1, or place in the top six spots in either New Hampshire or national polls.

Campaign: Gov. Kasich was scheduled to continue campaigning in Iowa Friday following the debate. Joining him was Lt. Gov. Mary Taylor at events including a Hillsboro breakfast meeting, a Concord meet and greet, and a women for Kasich meet and greet in Greenland.

Ms. Taylor was scheduled to join former U.S. Sen. Gordon Humphrey and former U.S. Rep. Chuck Douglas in Manchester for a joint press conference outside Gov. Bush's campaign headquarters to tout Gov. Kasich's record.

Gov. Kasich will return to New Hampshire beginning Saturday where he'll remain until Feb. 3. He has 14 town halls scheduled during those days, which means he will mark his 95th New Hampshire town hall next week.

Politics Notebook: Husted Issues Absentee Ballot Directive; Outcry Continues Over Sebring Lead Problem; Strickland Touts Labor Backing

Secretary of State Jon Husted on Friday issued a directive to election boards aimed at waylaying problems that arose in the last election with the processing of absentee ballots.

The problems included the disqualification of hundreds of absentee ballots in Summit County that didn't get processed in time by the U.S. Postal Service. (See Gongwer Ohio Report, November 19, 2015)

"Election officials in Ohio are faced with the responsibility of fixing a problem they don't control, but that can't be an excuse for inaction," Secretary Husted said in a statement. "Since the 2015 General Election, my office has

aggressively pursued answers from (USPS) to improve the system. As a result our policies and their practices will be better than they've been in the past."

The directive instructs the boards to follow USPS recommendations, which include redesigning courtesy reply envelopes to contain both the official USPS Election Mail logo and the unique Intelligent Mail barcode "in order to increase the electronic visibility of the absentee ballot in the mail stream," Mr. Husted's office reported.

Mr. Husted's office developed a mail insert to be included with absentee ballots during the 2016 elections that provides additional instructions for voters. He also recommends that election boards resize their absentee ballots in order to fit into a letter-size envelope and increase the likelihood of postmarking in most cases.

"As election officials, we are doing all we can do to make sure it is easy to vote and hard to cheat," Secretary Husted said. "But we need the voters' help. Please do not procrastinate in requesting and casting your absentee ballot and utilize the resources that we have available to you online to make your voting experience hassle-free."

Rep. Emilia Sykes (D-Akron) issued a statement calling the directive a "step in the right direction" but said more action is needed to prevent voter disenfranchisement.

"We need a statewide, uniform appeals process that ensures our most fundamental freedom as Americans is not superseded by technical errors or illegible postmarks," she said.

Mike Brickner, senior policy director with ACLU of Ohio, welcomed the announcement. "Secretary Husted's directive makes important changes to how boards of elections should prepare and count votes by mail," he said in a release. "These changes will benefit voters across the state who wish to cast their ballot early."

Water Contamination: Rep. John Boccieri (D-Poland) this week upped the ante on calls for action in the wake of lead contamination discovered in Sebring and Beloit, saying the House should subpoena Ohio EPA Director Craig Butler "to answer questions relating to the state's failure to protect the public for some six months after toxic drinking water was found" in the water supplies.

"We have received no answer to our repeated questions about steps taken by the EPA, which shares a moral and legal obligation to notify the public when such a crisis evolves, to remedy this crisis," Rep. Boccieri wrote in his letter to Speaker Cliff Rosenberger (R-Clarksville).

Responding to the lawmaker's requests, OEPA spokeswoman Heidi Griesmer defended the director's moves.

"It is sad that the legislators' first instinct is to play politics, even when U.S. EPA has applauded Director Butler's response," she said in an email. "Our focus is getting this fixed, making sure this doesn't happen again and removing a bad operator. The minute Director Butler learned of Sebring's inaction he took steps to help fix the problem and remove the operator."

Mr. Butler acknowledged in a statement issued this week that the agency "was too patient in dealing with the village of Sebring's 'cat and mouse' game and should have had closer scrutiny on the water system meeting its deadlines."

The agency is in the process of developing new protocols for local water system reviews, he said. (See Gongwer Ohio Report, January 25, 2016)

Senate Minority Leader Joe Schiavoni (D-Boardman) said he and Rep. Boccieri plan to introduce legislation that enhances notification requirements for local water systems and the Ohio EPA in such circumstances.

Strickland Labor Backing Grows: Former Gov. Ted Strickland this week touted more support for his U.S. Senate run, saying he had received the unanimous support of the Tri County Regional Labor Council, which represents 48,000 active and retired members in Medina, Summit and Portage counties.

"Former Governor Strickland has and always will be a champion for Ohioans who work for a living. We need him in the U.S. Senate fighting for us," David Prentice, executive secretary treasurer of the council, said in a statement released by the Democrat's campaign. "Ted gets it: he understands the struggles facing working families because that's where he comes from and those are the people he cares about."

On Friday, Mr. Strickland announced the support of the Transport Workers Union, Ohio-Michigan State Conference.

Conference Chair Delisa Brown said Mr. Strickland "has and always will be a champion for Ohio's working people - we need him in the U.S. Senate fighting for us."

Agency Briefs: \$58.6 Million Approved For Transportation Projects; Liquor Sales Top \$1 Billion; County Unemployment Numbers Released...

The Transportation Review Advisory Council announced new funding commitments totaling \$58.6 million.

The commitments include \$37 million for construction and \$900,000 for right-of-way on a bridge project over the Ohio River in Jefferson County. That project, for a bridge from south of Brilliant, Ohio, to Wellsburg, W.Va., is being led by West Virginia, ODOT spokesman Matt Bruning said.

The projects include:

- \$6 million for a new interchange at I-680 and SR 164 in Mahoning County.
- \$3.9 million for construction of a new connector road at Commons Mall Crossing and \$3.9 million for a new bridge over I-70 in Belmont County.
- \$500,000 for design and \$1 million for right-of-way for a new interchange at I-475 and U.S. 20 in Lucas County
- \$500,000 for design and \$1.8 million for right-of-way for a new interchange at I-475 and Dorr Street in Lucas County.
- \$3 million for right-of-way activities for a rail grade separation on SR 309 in Lima.
- \$4 million for right-of-way to reconstruct a portion of the central interchange at I-76/I-77/SR 8 in Summit County.

Division of Liquor Control: Liquor sales topped \$1 billion in 2015, up more than 7% from the year before, despite smaller increases in the volume of liquor sold, the Department of Commerce reported.

Retail sales totaled \$731 million, up 8% from the year before, and wholesale sales totaled \$287.1 million, up 5.5%, according to a news release.

"Today's consumers are seeking quality over quantity and buying more premium priced products than ever before," Director Jacqueline T. Williams of the Ohio Department of Commerce said in a statement. "This practice of 'trading up' helped achieve record dollar sales without encouraging increased consumption."

The total volume of liquor sold through the state's 466 contract liquor agencies was 13 million gallons, up 3.9% from the year before.

The top 10 brands by gallons sold were:

- 1. Jack Daniels Tennessee Whiskey, 379,492 gallons
- 2. Fireball Cinnamon Whiskey, 298,406 gallons

- 3. Crown Royal Canadian Whiskey, 291,609 gallons
- 4. Captain Morgan Spiced Rum, 288,676 gallons
- 5. Bacardi Superior Light Rum, 287,901 gallons
- 6. Smirnoff Vodka, 283,801 gallons
- 7. Absolut Vodka, 272,521 gallons
- 8. Black Velvet Canadian Whiskey, 266,670 gallons
- 9. Tito's Handmade Vodka, 259,328 gallons
- 10. Kamchatka Vodka, 250,578 gallons

Job and Family Services: The department released labor force estimates for December 2015. Statewide, the unemployment rate was 4.6%, up from 4.4% in November but down from 4.7% in December 2014.

County unemployment rates ranged from 3.1% in Mercer County to 10.7% in Monroe County, the only county with a rate above 10%. (County rankings)

Secretary of State: Jon Husted announced his office's February regional office hours, with regional liaisons planning to be in 16 counties around the state in an effort to answer questions about voting and other programs.

The secretary also appointed Teresa A. Ames as a member of the Madison County Board of Elections, filling the unexpired term of Stephen Saltsman.

State Auditor: A performance audit of the Brunswick City School District in Medina County identified more than \$2 million in potential savings, Auditor Dave Yost announced.

Auditors and the Ohio Department of Education chose the district for a performance audit based on its projected deficits. The report found the district could consolidate bus routes and run fewer active buses, reducing the number of buses it needed to replace. It also found savings by reducing health insurance costs, personnel, implementing a salary freeze and increasing food service labor efficiency.

"When a financial forecast calls for a snowballing deficit, it's time to take precautions," Auditor Yost said in a statement. "These recommendations, along with the district's proactive approach, will help shovel a clear path to stable financial footing."

An audit of the Highland County Family & Children First Council resulted in a \$575 finding for recovery because of lack of documentation for gift cards. The council purchased \$3,000 in Walmart gift cards in 2013 and 2014 to pay parent representatives at meetings, to avoid having to issue tax forms 1099, according to a news release.

Auditors reported that on one instance, the council didn't maintain a receipt, and found that \$575 gift cards were not accounted for. A finding for recovery of \$575 was issued against Council Coordinator Danielle Ratcliff, and the matter of not issuing tax forms for gift cards distributed in excess of \$600 will be referred to the Internal Revenue Service.

"Every piece of supporting documentation is a pixel in the financial picture," Auditor Yost said. "Without the necessary paperwork, it's impossible to get a complete picture of how tax dollars were spent."

Mental Health and Addiction Services: The department announced \$9.1 million in funding for 75 counties through the Whole Child Matters: Early Childhood Mental Health initiative, which calls for the addition of up to

64 mental health consultants to work with children in preschools and other early learning settings, and a small group of trainers for statewide professional development.

"The foundations of sound mental health are built early in life," OhioMHAS Director Tracy Plouck said in a statement. "Early experiences - including children's relationships with parents, caregivers, relatives, teachers, and peers - interact with genes to shape the architecture of the developing brain. Disruptions in this developmental process can impede a child's capacities for learning and relating to others, with lifelong implications."

The funding will also create a statewide intake component, where pre-school and kindergarten teachers can request an in-person consultation.

Ohio EPA: The Ohio EPA has begun accepting nominations for Water Supply Revolving Loan Account funding in 2017, to finance drinking water infrastructure improvements. Nomination forms are due to DWAF.mail@epa.ohio.gov by March 1.

Attorney General: Mike DeWine offered tips to help Ohioans protect their data privacy. The Attorney General's Office received more than 1,670 identity theft complaints in 2015, more than 300 more than the year before, and helped victims clear more than \$658,000 in fraudulent charges.

The attorney general urged Ohioans to review their privacy settings for all of their accounts, especially social media accounts; read privacy policies; update passwords regularly; protect networks with tools like firewalls, network passwords and encryption, and anti-virus programs; and be careful when using free public wireless networks.

"The Internet has created new opportunities but it's also brought new risks to data privacy and the security of personal information," Attorney General DeWine said in a statement. "Today we're encouraging people to consider how their information is shared online and to take steps to protect themselves."

Agriculture: The Division of Soil and Water Conservation updated the Ohio Pipeline Standard and Construction Specifications document, including the addition of silvicultural best management practices when clearing brush and trees in the right-of-way and updating the methods of repairing damaged subsurface drains.

The recommendations apply to pipeline construction activities on agricultural land, and aren't mandatory.

The department also announced a number of areas across Ohio that will receive gypsy moth aerial treatments in the early spring. The department will hold open houses in those areas, including meetings in Hocking, Vinton, Athens and Ross counties in the first week of February. The department also has a website set up to learn more about the moths and see maps of treatment areas.

Fire Marshal: Fire Prevention Chief Frank Conway presented the Award for Heroism to Steve Gast and Lima Patrolmen Samuel Crish and Matthew Woodworth for actions while saving a woman and two children from a November house fire, according to a news release.

"The extraordinary heroism and devotion to duty displayed by these men undoubtedly saved three lives that day," Chief Conway said. "Their valiant actions bring great credit to themselves, their families and Ohio's entire community of first responders."

Ethics Commission: The commission re-elected Merom Brachman as its chairman and Michael A. Flack as vice chairman at its Jan. 22 meeting, according to a news release. The commission's next meeting is scheduled for Feb. 26.

Capitol Square Review & Advisory Board: The 2016 Ohio Statehouse Wedding Showcase will be Friday, Feb. 19, from 6 to 8:30 p.m. The event is free and open to the public, and attendees will be given complimentary parking in the Statehouse garage, along with a copy of Columbus Weddings magazine and other promotions.

The event is designed to showcase the statehouse as a potential wedding venue. Sponsors include The Berwick, Cameron Mitchell Premier Events, City Barbeque, L.A. Catering, Metro Cuisine, Milo's, Spagio and Two Caterers.

Education Notes: Charter School Leaders Say Adversity, Funding Inequity Negatively Impact Industry; OSU Studying Classroom Ecology...

Principals of the state's highest performing charter schools believe an unsupportive environment and funding inequity have made it difficult to improve the industry, according to a Thomas B. Fordham Institute study.

Released this week, the study draws conclusions from surveys conducted with leaders of more than 70 charter schools who were asked for their views on sector quality, accountability, and replication and growth.

To be eligible for the study, the principal's school must have earned a C or better on the Performance Index state report card measure or a B or better on value-added for the 2012-13 and 2013-14 school years.

The survey, conducted by FDR Group, returned results showing 91% of respondents wished the state would make it easier for high performing charters to replicate, 83% said lack of funding is a serious problem, and 80% believe the state could use more charter schools as long as they are high performing.

A majority of principals also said: The charter industry is headed in the right direction on quality; their schools will probably expand in the near future; the state should move faster to close failing charter schools; and recruiting teachers is difficult because of funding shortfalls.

Meanwhile, the principals were split on whether Ohio is backing charter schools, with 54% saying it is unsupportive of them. Many said the criticism they've received has been "unfair and exaggerated" and the industry's poor reputation has made it difficult to recruit teachers and students.

"Ohio policymakers should give careful thought to the views of those who are leading the state's finest charter schools," Chad Aldis, the Fordham Institute's vice president for Ohio policy and advocacy, said in a statement. "Now that the reforms of House Bill 2 are in place, the conversation needs to shift to growing excellent charter schools."

"There are charter schools making a big impact in the lives of disadvantaged kids. State and community leaders need to step up and invest in the replication of schools that have proven they can educate struggling students," he added.

Darlene Chambers, president and CEO of the Ohio Alliance for Public Charter Schools, applauded the study, saying it provides a look into the practices of those schools working to educate students "in spite of significant barriers."

"(The principals') consensus that they prevail in a state environment unsupportive of charter schools, with persistent negative criticism and image issues speaks to the dedication and tenacity required to start a quality school and sustain models that work," she said.

"Hopefully policymakers will gain insight from the report and find the resources to support what they are promoting - the replication of quality charter schools in the state's most challenged urban areas," Ms. Chambers continued. "The solutions presented by these charter school leaders to advance the expansion and growth of proven quality programs are within reach."

The survey was fielded to 109 charter school principals from April-May 2015, according to the study. About 70% responded.

Early Education Project: Ohio State University researchers have received \$4.5 million to join a national project to improve early education.

The grant from the federal Institute of Education Sciences will be used to study classroom ecology, the university said. In total, the institute will distribute \$26 million nationally to establish the Early Learning Network.

The five-year study will focus on the role K-3 classroom experience plays in children's learning and development, said Professor Laura Justice, the project leader.

"There are a lot of factors that go into student success in the classroom and we need to more thoroughly identify those factors and what we can do to ensure that all children get the classroom experience that will help them in the long term," she said.

OSU researchers will also conduct a statewide analysis of policies and procedures.

"In the end, we hope to come up with clear guidance to policymakers and practitioners about how to design classroom ecologies that will give children the most benefit," Ms. Justice said.

The University of Nebraska; University of North Carolina at Chapel Hill; the University of California, Irvine; the University of Virginia; and MDRC, a policy research center, also received grants.

Public Education Week: Rep. John Patterson is calling for a week dedicated to public education.

Coinciding with the national week, Ohio Public Education Appreciation Week, would provide an opportunity to recognize the sector and honor those involved with it, such as teachers and administrators.

Under recently introduced legislation (HB 438), the event would be celebrated the week before Thanksgiving.

"A child's education is an invaluable asset that they carry with them for their entire life. Now, more than ever, it is important to show our strong support for public education," Rep. Patterson, a former teacher and coach, said in a statement. "Educators across our state are dealing with budget cuts and unprecedented scrutiny at the local and state level. We should use this opportunity to affirm our support of Ohio's dedicated public educators and recognize the important role they have in our communities."

Rep. Patterson introduced the bill as the state and the nation recognized School Choice Week.

Ohio Business: Steel Companies' Sales Declines Continue In Fourth Quarter; Sherwin-Williams Sets Annual Sales Record; AEP, Cliffs...

TimkenSteel is pointing the finger at "weak global commodity markets" and high manufacturing costs to explain sales and income declines in 2015.

The Canton-based company this week reported fourth quarter and full-year results, both of which show decreases in income and sales, including a 34% drop in sales from year to year.

It also reported a net loss of \$25.5 million, or \$0.58 per share, in the fourth quarter. Total net sales were \$206.6 million.

"While we continue to feel the impact from weak global commodity markets and high customer inventory levels, our cost reduction efforts and pace of new business from innovation reduced the losses we anticipated in the quarter," Tim Timken, chairman, CEO and president, said in a statement.

"We expect 2016 to be another challenging year, so our focus will continue to be on cash generation while maintaining industry leading customer service. We will continue to manage through this cycle in a way that will generate value for shareholders and make us stronger as markets recover."

During the quarter, TimkenSteel put in place previously announced cost reduction strategies that are expected to equate to \$50 million in savings this year, according to a company release.

AK Steel: The West Chester company reported a net loss of \$147.1 million in the fourth quarter compared to net income of \$13.5 million in the same period of last year and \$6.7 million in the previous quarter.

Net sales for the fourth quarter were \$1.54 billion on shipments of 1.65 million tons, compared to net sales of \$2 billion on shipments of 2 million tons reported last year.

The company reported its average selling price for the fourth quarter was \$929 per ton, which is 2% higher than it was in the third quarter.

For the full year, the company reported a net loss of \$510.7 million, or \$2.87 per diluted share, and an adjusted net loss of \$53.5 million, or \$0.30 per diluted share.

Sales, meanwhile, were \$6.69 billion compared to sales of \$6.51 billion in 2014 as shipments increased by nearly one million tons.

Sherwin-Williams: The paint company saw net sales increase 1.9% to a record \$11.34 billion in 2015, it reported.

Sales also increased in the fourth quarter "due primarily to higher paint sales volume in our Paint Stores and Consumer Groups," the Cleveland-based company reported. The total increased \$35.2 million, or 1.4%, to \$2.60 billion in the quarter despite the unfavorable currency translation rate that's been holding net sales down.

AEP: The company's fourth quarter earnings were \$469 million or \$0.96 per share, up from \$191 million or \$0.39 per share in fourth-quarter 2014, it reported.

Operating earnings for the quarter were \$233 million or \$0.48 per share, compared with the \$232 million or \$0.48 per share in the same period last year.

Meanwhile, year-end GAAP earnings were \$2.047 billion or \$4.17 per share, which represents an increase from \$1.634 billion or \$3.34 per share in 2014, AEP reported. Operating earnings for the year were \$1.808 billion or \$3.69 per share, compared with \$1.675 billion or \$3.43 per share last year.

Cliffs Natural Resources: The company reported that consolidated fourth-quarter revenues of \$476 million were a 54% decrease compared to the same period last year.

Meanwhile, the company recorded a net loss of \$58 million compared to \$1.4 billion in the prior-year quarter.

For the year, consolidated revenues were \$2 billion - a 40% decrease from 2014 - and a \$748 million net loss compared to an \$8.3 billion loss the prior year.

Lancaster Colony: Net sales at the Columbus-based company increased 7% in the second quarter to \$324.8 million, it reported.

For the six months ending Dec. 31, net sales were up 9.8% to \$618.9 million compared to \$563.4 million during the same period last year, the company reported. Net income for the six-month period totaled \$62.1 million, or \$2.26 per diluted share compared to \$55.7 million, or \$2.04 per share.

United Bancorp: The company reported a 21% Increase in diluted earnings per share, a forward dividend yield of 4.17% and market value appreciation of 19% in 2015.

It also reported that diluted earnings per share for the fourth quarter increased 13% to \$0.17 from \$0.15 for the same period of 2014.

Peoples Bancorp: The company's net income totaled \$2.6 million, or \$0.14 per dilute common share, in the fourth quarter compared to \$0.22 in the third quarter and \$0.28 in the comparable period of 2014, it reported.

For the year, net income was \$10.9 million, or \$0.61 per diluted common share, compared to \$16.7 million, or \$1.35 per share, in 2014.

Governor's Appointments

Materials Management Advisory Council: John F. Bayliss of Rushsylvania for a term beginning January 29, 2016 and ending July 1, 2016.

State Emergency Response: Commission Clifford L. Mason of Hebron for a term beginning January 29, 2016 and ending January 13, 2018.

Supplemental Agency Calendar

Wednesday, February 3

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

Thursday, February 4

Ohio Constitutional Modernization Commission, Statehouse, Rm. 017, Columbus, 10 a.m. (Legislative Branch and Executive Branch Committee)

Supplemental Event Planner

Wednesday, February 10

Rep. Wes Retherford (R-Hamilton) fundraiser, Capital Club, 41 S. High St., Columbus, 11:30 a.m., (\$1,000, \$500 or \$350 to Friends of Wes Retherford)

Thursday, February 11

Ohio Associated Press 2016 Legislative Preview Session, Ohio Judicial Center, 65 S. Front St., Columbus, 9 a.m.

Wednesday, February 24

Ohio Legislative Black Caucus Day of Action, 77 S. High St., Columbus, 10 a.m.

Tuesday, May 24

Ohio Association of Health Plans Annual


Legislative Reception, Statehouse Atrium, Columbus, 5 p.m., (Please RSVP to Stacy Bewley at sbewley@oahp.org or for any questions call 614-228-4662)

17 S. High St., Suite 630

Columbus Ohio 43215

Phone: 614-221-1992 | **Fax:** 614-221-7844 | **Email:** gongwer@gongwer-oh.com

Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

Click the  after a bill number to create a saved search and email alert for that bill.

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Daily Activity Planner for Saturday, January 30- Monday, February 1

Legislative Committees

Wednesday, February 10

Joint Committee on Agency Rule Review (Committee Record) (Chr. Uecker, J., 466-4086), Senate Finance Hearing Rm., 1:30 p.m.

Agency Calendar

No agency meetings scheduled.

Event Planner

Sunday, January 31

Deadline to renew Executive and Retirement System registrations in OLAC, (Registrations filed after this date will require a signature page along with the filing fee)

Monday, February 1

Deadline for filing September-December 2015 lobbying reports

Deadline for filing September-December 2015 Updated Post Employment Disclosure Statements

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Gongwer News Service Ohio Media Clips

1 message

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Ohio News & Opinion For February 2, 2016

News

Labor-backed group reminds Ohioans of union law's defeat (Associated Press, 2/2/2016)

Lake Erie Commission sets special meeting in Ohio (Associated Press, 2/2/2016)

Ohio prosecutor seeks new law on police use-of-force probes (Associated Press, 2/2/2016)

Caucus surprises may hurt Kasich (Cincinnati Enquirer, 2/2/2016)

In NH, Kasich ads lead to angst (Cincinnati Enquirer, 2/2/2016)

Who is Kelli Prather and should P.G. be worried? (Cincinnati Enquirer, 2/2/2016)

John Kasich's team on Iowa caucus finish: 'The real race begins in New Hampshire' (Cleveland Plain Dealer, 2/2/2016)

Presidential candidates join John Kasich on New Hampshire campaign trail: What to watch for Tuesday (Cleveland Plain Dealer, 2/2/2016)

Kasich in New Hampshire push as primary looms (Columbus Dispatch, 2/2/2016)

Kasich trailing Rubio in campaign cash (Columbus Dispatch, 2/2/2016)

Ohio Politics Now: A look at Iowa and beyond to New Hampshire (Columbus Dispatch, 2/2/2016)

Ohio's higher preschool spending still lags most states (Columbus Dispatch, 2/2/2016)

3 front-runners in fundraising for Boehner's old seat (Dayton Daily News, 2/2/2016)

5 things to watch before New Hampshire votes on Feb. 9 (Dayton Daily News, 2/2/2016)

House bill helps protect domestic violence and assault victims privacy (Dayton Daily News, 2/2/2016)

Kasich digs in for stretch in N.H. (Toledo Blade, 2/2/2016)

Editorials

When it is lead, get the lead out (Akron Beacon Journal, 2/2/2016)

7/23/2018

Gmail - Gongwer News Service Ohio Media Clips

Editorial: State legislator belittles opponent (Canton Repository, 2/2/2016)

Sittenfeld should do homework on city gun laws (Cincinnati Enquirer, 2/2/2016)

John Kasich as the not-Trump: Sullivan's morning musings (Cleveland Plain Dealer, 2/2/2016)

Demise of solitary confinement is welcome (Columbus Dispatch, 2/2/2016)

FirstEnergy shouldn't get subsidies (Toledo Blade, 2/2/2016)

Sittenfeld elevates himself (Toledo Blade, 2/2/2016)

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Gongwer Email Alerts for Thursday, February 4, 2016

1 message

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Thu, Feb 4, 2016 at 4:57 PM

To: sml@sarahlatourette.com



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Email Alerts For Sarah LaTourette

Tracked Committees

House State Government

2/10/2016, 2:30 p.m., Rm. 121

HB **STATE SEAL** (Perales, R.) To add a representation of the Wright Brothers' first piloted airplane to the Coat of Arms 386 and Great Seal of the State of Ohio.

SB **CONTRACTOR LABOR** (Uecker, J.) To prohibit a public authority from requiring a contractor to employ a certain 152 percentage of individuals from the geographic area of the public authority for the construction or professional design of a public improvement.

SB **DAY DESIGNATION** (Hughes, J.) To designate August 7 as Ohio Purple Heart Day.

239

HB **AWARENESS DAY** (Anielski, M.) To designate the Saturday before Thanksgiving as "Ohio Survivors of Suicide Loss 440 Day."

HCR **EDUCATION ACT** (McColley, R.) To urge the United States Congress to pass the ADA Education and Reform Act of 32 2015.

HB **MILITARY RECORDS** (Perales, R.) To specify that an order for active military service or other documentation 423 regarding the call to order of an individual in the Armed Forces of the United States or the Ohio organized militia is not a public record.

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Sarah LaTourette Kayser <latoursm@gmail.com>

ALEC Events and Education 02-09-2016

1 message

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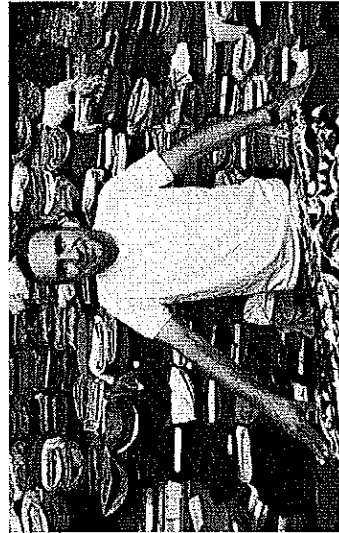
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Events and Education

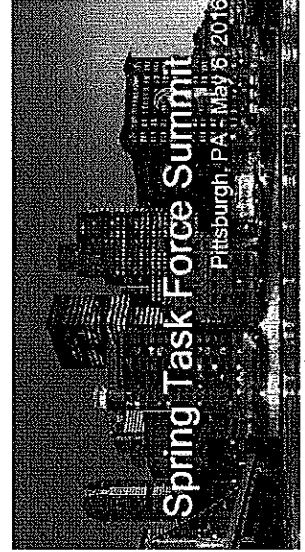


West Virginia Sends Right-to-Work to Governor

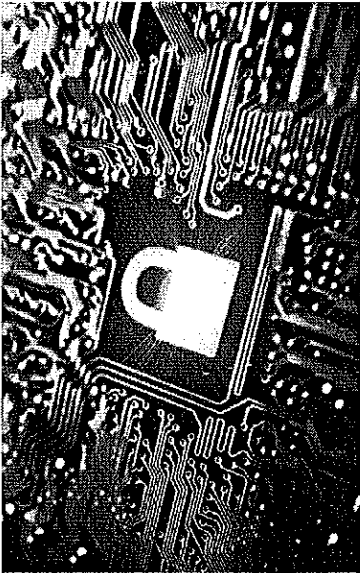
Last week, the West Virginia Legislature approved a measure to expand employee freedom. The proposal now heads to the Governor's desk. [Read more here.](#)

REGISTER TODAY: Spring Task Force Summit

Registration is now open for the Spring Task Force Summit in Pittsburgh on May 6. Register today for the lowest prices.



Encryption Does Not Prevent Law Enforcement From Investigating



Crime

Should legislators force companies to provide law enforcement access to a citizen's electronic devices and communications in the event of a criminal or terrorism investigation? Read more [here](#).

TODAY: ALEC Presents on Western Lands on Capitol Hill

Improving Public Land Management Through More Local Control

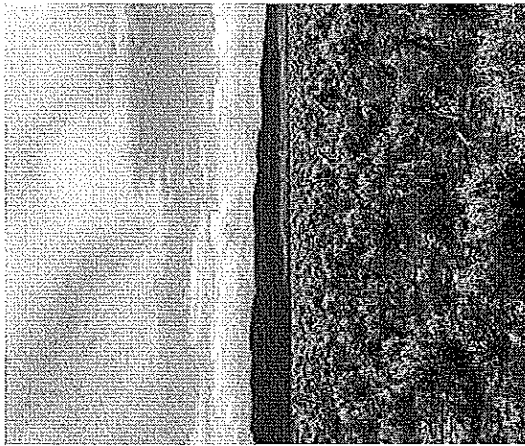
ALEC Director of Federalism Policy Karla Jones will present testimony before the Federal Lands Action Group.

Date: Today, February 9

Time: 4:30 PM

Where: 1310 Longworth Building

[Read more here.](#)



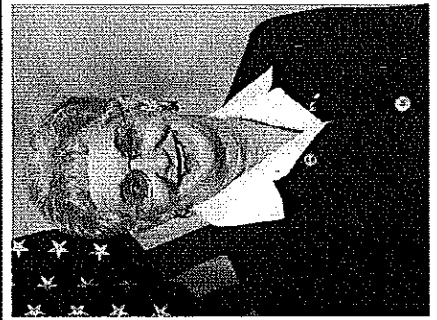
Conference Call with Congresswoman Virginia Foxx (NC)

Topic: Transparency and Accountability in Unfunded Mandates

Date: Tuesday, February 23

Time: 2:30 -3:00 ET

RSVP HERE for call information

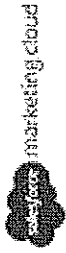


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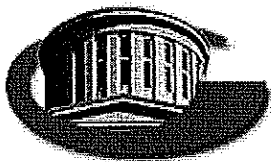
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Senate Floor Report

1 message

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Senate Activity for Wednesday, February 10, 2016

PASSED

SB MONTH DESIGNATION (Gentile, L.) To designate October as "Disability History and Awareness Month."
13032-0



SB COSMETOLOGY LAW (Jordan, K., Tavares, C.) To make changes to the Cosmetology Licensing Law.
21332-0



SB VEHICLE FORCIBLE ENTRY (Hughes, J., LaRose, F.) To grant a person immunity from civil liability for any damage
215resulting from the forcible entry of a motor vehicle for the purpose of removing a minor or an animal from the vehicle
because the minor or the animal is in imminent danger of suffering harm.
32-0

**REFERRED**

Agriculture

HB WINE SALES (Manning, N.) To establish the F-10 liquor permit to authorize certain A-2 permit holders to sell Ohio
178 wines at farmers markets.



HB WINERY PERMITS (Young, R.) To create the Ohio Farm Winery Permit.

342



SB POLICE ANIMALS (Gentile, L.) To authorize a law enforcement officer to purchase a police dog or horse for fair market value when the officer retires in good standing from a law enforcement agency and certain conditions are met, and to declare an emergency.



Civil Justice

SB EMPLOYMENT LAW (Seitz, B.) To modify Ohio civil rights laws related to employment and the statute of limitations for other specified claims against an employer.

268



Criminal Justice

SB CASINO OPERATORS (Seitz, B.) To specify that the criminal penalty related to casino operators and employees participating in casino gaming applies at their casino facility or an affiliated casino facility.

265



Energy & Natural Resources

SB WATER SYSTEMS (Schiavoni, J.) To require a public water system to provide notice of lead contamination not later than thirty days after becoming aware that lead contamination may effect the system's drinking water, to require the Director of Environmental Protection to provide the notice if the public water system fails to provide it, to require employees of the Environmental Protection Agency to provide continuing assistance to a public water system that fails to provide the required notice of lead contamination, and to require the Director to adopt rules that increase the monitoring frequency for lead and copper under specified circumstances.



Finance

HB HIGHER EDUCATION AUDITS (Schaffer, T., Duffey, M.) To specify that state institutions of higher education may be subject to performance audits conducted by the Auditor of State.

384



SB VEHICLE FUELS (Seitz, B., Peterson, B.) To create the Gaseous Fuel Vehicle Conversion Program, to allow a credit 267 against the income or commercial activity tax for the purchase or conversion of an alternative fuel vehicle, to apply the motor fuel tax to the distribution or sale of compressed natural gas, to authorize a temporary, partial motor fuel tax exemption for sales of liquid and compressed natural gas used as motor fuel, and to make an appropriation.

Government Oversight & Reform

SB PAWNBROKERS (Eklund, J.) To make changes to the law relating to pawnbrokers.
270

SB PAROLE ELIGIBILITY (Thomas, C., Eklund, J.) To provide special parole eligibility dates for persons with an 272 indefinite or life sentence imposed for an offense committed when the person was less than 18 years of age, to require the Parole Board to consider specified mitigating factors in those cases, and to require notice to the Ohio Public Defender and prosecuting attorney prior to the parole consideration hearing.

Insurance

SB 273 ■ CORPORATE GOVERNANCE (Bacon, K.) To enact the Corporate Governance Annual Disclosure Act.

State & Local Government

HB DISABILITY TERMS (Dever, J., Howse, S.) To change the variations of the term "mentally retarded" to "person with 158 an intellectual disability."

HB ADDRESS CONFIDENTIALITY (Duffey, M., Gonzales, A.) To create an address confidentiality program for victims 359 of domestic violence, menacing by stalking, human trafficking, trafficking in persons, rape, or sexual battery.

SB ELECTED OFFICE VACANCIES (Oelslager, S.) To clarify the circumstances under which a political party may 266 appoint a person to fill a vacancy in certain county elective offices.

Transportation, Commerce & Labor


HB PROFESSIONAL ENGINEERS (Landis, A., Blessing, L.) To require professional engineers to complete continuing
236 professional development hours in professional ethics or rules relevant to engineering or surveying practices.



HB ROAD NAMING (Maag, R.) To designate a portion of state route forty-eight within Warren county as the "SFC
256 Bobby Lee Estle Memorial Highway."



Ways & Means

HB TAX LAWS (Green, D.) To extend the deadline for filing an application for the homestead exemption or 2 1/2%
166 property tax rollback to the end of the tax year, to require that auditors certify Local Government Fund allocations to
 subdivisions by regular or electronic, rather than certified mail, to require that notices of appeal from a decision of the
Board of Tax Appeals originating with a county board of revision be filed with that board and the county auditor, to
clarify the effect of certain certifications related to the repealed personal property tax, and to repeal laws requiring
county auditors to issue permits for traveling shows, issue licenses for new merchandise public auctions, certify the
annual state tax interest rate to local courts.



SENATE PRESIDENT'S APPOINTMENTS

Controlling Board: Sen. Peterson

Joint Education Oversight Committee: Sen. Gardner

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Sarah LaTourette Kayser <latoursm@gmail.com>

Ohio Report, Wednesday, February 10, 2016

1 message

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The Record of Capitol Square Since 1906**Ohio Report for Wednesday, February 10, 2016**

Bill To 'Defund' Planned Parenthood Headed To Governor's Desk

Bills Reauthorizing Capital Funds, Setting Minimum Sentences For Importuning Clear House

Bills On Cosmetology Licensure, Child And Pet Protection Pass Senate; Faber Talks Kasich's N.H. Success

Supporters Urge Passage Of Legislation To Exempt The Severely Mentally Ill From Capital Punishment

Doctors Say Expanded Role For Advanced Practice Nurses Isn't Necessary

Opt-Out Bill Stalls Following ODE Action To Release Additional Report Card Data

House Democrats Announce Leadership Changes

Ohio Officials Applaud Supreme Court Ruling That Puts U.S. EPA's Clean Power Plan On Hold

Kasich Shifts Focus to South Carolina After Second-Place-Finish In New Hampshire

Politics Notebook: OLBC Meets With Chief Justice On Grand Jury Reforms; Senate Hopefuls Tout Backing; Hayes Endorses Biggers...

Attorney General's Opinion

Supplemental Agency Calendar

Supplemental Event Planner

Senate Committee Hearings

Government Oversight & Reform

Criminal Justice

Transportation, Commerce & Labor

Health & Human Services

Medicaid

House Committee Hearings

Economic & Workforce Development

Education

Health & Aging

Activity Reports

House

Senate

Calendars

Day Planner

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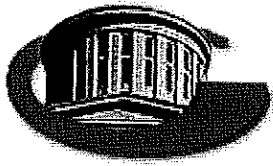
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Feb10Senate.htm
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GONGWER Ohio

The Record of Capitol Square Since 1906

Volume #85, Report #27 -- Wednesday, February 10, 2016

Bill To 'Defund' Planned Parenthood Headed To Governor's Desk

A bill blocking the flow of state money to Planned Parenthood is ready for Governor Kasich's signature.

Mostly along party lines, the House on Wednesday concurred with Senate amendments to the bill (HB 294) that would require the Department of Health to ensure that state funds and certain federal funds are not allocated to entities that perform or promote abortions.

It redirects about \$1.3 million annually that currently goes to Planned Parenthood to other entities eligible for those funds.

The amendments added in the upper chamber ensure that \$250,000 of that goes to the Ohio Association of Community Health Centers for safe sleep, birth spacing and smoking cessation initiatives and extend Medicaid presumptive eligibility for pregnant women.

Gov. John Kasich, who is continuing his presidential campaigning in Michigan and South Carolina in the coming weeks, will sign the bill, his spokesman Joe Andrews said.

"Since taking office, Governor Kasich has worked with legislative leaders to ensure that public dollars are used to their best purpose," he said in an email. "The Ohio Department of Health had already stopped awarding state dollars to Planned Parenthood and they were kicked to the back of the line for the federal government's family planning grants that the department administers. This bill further reinforces Ohio's policies."

Planned Parenthood supporters, some of whom gathered outside the Statehouse and delivered Valentine's Day cards to legislators urging them not to concur, argue it's the governor's presidential aspirations that have him moving so quickly to sign the bill.

Speaker Cliff Rosenberger (R-Clarksville) said he held off on bringing the bill up for a concurrence vote in January because he didn't want to keep his members waiting around for the Senate, but NARAL Pro-Choice Director Kellie Copeland said she suspects he and the administration had an ulterior motive.

"John Kasich is kicking Planned Parenthood patients around like a political football. Timing on this legislation is completely driven by Kasich's primary election calendar. Kasich has fooled moderate, pro-choice New Hampshire voters. Next, he needs to appeal to conservative whites in South Carolina, and he's willing to take health care away from low-income blacks in Ohio to get it done," she said in a statement. According to Planned Parenthood, more than half of its patients are African-American.

Speaker Rosenberger told reporters after session that he believes Gov. Kasich would have been supportive of the bill no matter where the election took him.

"I know that as he continues to go forward, anything he does is because it's the right policy for our state," he said.

Another candidate for higher office, Rep. Tim Derickson (R-Oxford), spoke in support of the bill on the floor and was not shy about relating the vote to his bid for John Boehner's former U.S. House seat.

Shortly after urging his colleagues to concur on Senate amendments, he sent a message through his Twitter account: "Speaking on the House Floor to #DefundPP - I did it in Columbus and I'll do it in Washington."

Before the floor debate began, Speaker Rosenberger laid some ground rules, telling members that their comments should be limited to the amendments and they should not be directed at one another or disparage the work of the chamber.

But that didn't stop some members from commenting on the larger issue, possibly compensating for the arguments they didn't make the first time the bill came to the floor.

Following the bill's first vote on the House floor, the speaker was criticized for not recognizing Democratic members who had planned to speak out before he abruptly called the roll - a move Rep. Kathleen Clyde (D-Kent) addressed in her opposition speech.

She pointed to existing state and federal laws that prohibit entities from using public money for abortions as evidence that the bill is politically driven and not about what's in the best interest of women.

"Despite the intentions of this bill's sponsors, HB294 will likely increase the number of abortions in Ohio by cutting access to birth control, comprehensive sex education and other vital services that are all part of women's health care," Rep. Clyde said.

Meanwhile, Rep. Barbara Sears (R-Maumee) described the legislation as "the largest singular bill that will help women's health issues that we'll do in the General Assembly."

There are more than 250 centers available to assist women that will receive the money instead, she said, and the amendments will allow Women, Infants and Children clinics and county health departments to help women sign up for Medicaid and provide care through presumptive eligibility.

"Right here where we are in this House, there are more than 10 WIC clinics immediately here within just a few miles that women will be able to access for their health care needs and they'll be able to do it in a way that they'll now get presumptive eligibility," Rep. Sears said.

Rep. Emelia Sykes (D-Akron) said the amendments don't get to the heart of the state's dismal infant mortality rates, which are driven by racial disparities as opposed to income or education disparities.

Calling the Senate amendments a "veiled attempt" to catch Democrats opposing money for infant mortality efforts or additional care opportunities, Rep. Greta Johnson (D-Akron) said she would not concur because the changes don't "address the public health crisis that HB294 will create."

Stephanie Kight, president and CEO of Planned Parenthood Advocates of Ohio, said she is disappointed that all the stories that have been shared by patients, doctors and other health care professionals who testified on the bill did not make a difference in the vote tally.

The loss in funding will not affect the organization's mission, though.

"Planned Parenthood's doors will stay open-no matter what. Tomorrow, we will open our doors and continue to welcome as many people as possible into our health care centers for affordable, safe, judgment-free health care," Ms. Kight said. "We will continue to fulfill our mission for as long as we possibly can."

Once signed by the governor, the bill will be the 17th anti-abortion measure signed by Gov. Kasich in the last five years, Ohio Right to Life touted after the vote.

"This legislation has been at the top of Ohio Right to Life's legislative agenda for years," ORTL Executive Director Stephanie Ranade Krider said in a statement.

"Thanks to the thoughtful, careful work of the Ohio House and Senate, the taxpayer dollars of pro-life Ohioans like myself will now be shielded from the abortion industry. This is an incredible victory for the pro-life cause in Ohio and for the national pro-life movement's collective efforts to de-fund the abortion industry chief, Planned Parenthood."

Bills Reauthorizing Capital Funds, Setting Minimum Sentences For Importuning Clear House

The House on Wednesday showed strong support for all the measures on its calendar, including those that reauthorize capital bill dollars, set minimum sentences for importuning and revise joint economic development district laws.

The capital reappropriations bill ([SB 260](#)) is headed to the governor after moving quickly through the House unchanged. It reauthorizes the use of nearly \$1.5 billion in previously allocated funding for state bricks-and-mortar projects.

Members also sent to the governor a bill to "defund" Planned Parenthood ([HB 294](#)) - the only agenda item to draw opposition during the House session. (*See separate story*)

Although there has been a judicial call to forgo legislation that sets mandatory sentences, [Rep. Kent Smith](#) (D-Euclid) and [Rep. Tim Schaffer](#) (R-Lancaster) said their bill ([HB 405](#)) is necessary to protect children from online predators.

It would set a mandatory six-month prison sentence for a person who attempts to solicit anyone under the age of 16 for sexual activity if the offender is more than 10 years older than the person he or she is soliciting, Rep. Schaffer said. If the victim is younger than 13, a mandatory prison sentence will also be imposed.

"It's important to note we're retaining judicial discretion regarding how long the prison term shall be. We're not locking these predators up for life and throwing away the key, but we're enacting a serious penalty on sex predators and it should serve as a serious warning," he said.

"Law enforcement tells us that prison time is the only effective deterrent for sexual predators of this magnitude," Rep. Schaffer continued. "It is time we show these predators that we will not stand by as they hide behind a computer screen and attempt to molest children."

Rep. Smith said the issue is important to him as a former member of the Ohio Internet Crimes Against Children Task Force.

Individuals the task force blocks from committing offenses can be jailed because they have made contact with a child, but importuners typically don't face offenses because they're chatting online with undercover police officers, he said.

"Increased technological advancements have opened up new doors to child predators," he said. "This legislation will increase safety for our children and help to keep predators off the streets and offline."

[Rep. Teresa Fedor](#) (D-Toledo) offered support for the bill, saying it lines up well with other legislative efforts because it requires importuners to register as sex offenders and provide DNA samples.

The House also cleared a measure ([HB 182](#)) making a handful of changes to how JEDDs are used.

[Rep. Kirk Schuring](#) (R-Canton), who sponsored the legislation creating the economic development tool in 1995, said the bill streamlines the laws governing JEDDs and makes them easier to understand and use.

The bill allows JEDDs to be established for the purpose of economic redevelopment, allows residents who live in mixed-use buildings to be included, and permits the carve-out of properties in the district, among other things.

"This will improve the state JEDD law and increase its effectiveness as a reliable economic development tool," Rep. Schuring said of the bill, adding that there were no opponents.

Members also unanimously approved bills to eliminate the lack of a property owner's consent as an element of arson when a property is abandoned (HB 185) and prohibit former lawmakers from serving on the panel that oversees the Legislative Service Commission (HB 167).

Bills On Cosmetology Licensure, Child And Pet Protection Pass Senate; Faber Talks Kasich's N.H. Success

Bills to loosen regulations on cosmetologists and to protect Ohioans seeking to save children or pets trapped in cars easily won approval from the Senate Wednesday.

In all, senators passed three bills with a 32-0 vote with little discussion aside from sponsor testimony - including a measure (SB 130) from Sen. Lou Gentile (D-Steubenville) to designate October as Disability History and Awareness Month.

The Senate adopted a technical amendment offered by Sen. Bill Coley (R-Liberty Township) to a bill from Sen. Kris Jordan (R-Ostrander) and Sen. Charleta B. Tavares (D-Columbus).

Under current law a cosmetologist is required to obtain a manager's license, requiring an additional 300 hours of training, before they are allowed to manage or work alone in a salon. Proponents argued the requirement hampers salon owners and curbs job prospects for graduates seeking to enter the profession.

But the bill might have continued to hamper some job prospects if not amended, Sen. Coley told colleagues. He said the impetus for his amendment arose during a review of the bill by the Legislative Services Commission after the bill had passed the Senate Government Oversight & Reform Committee, which he chairs. (See Gongwer Ohio Report, January 26, 2016)

By decreasing the number of hours required for an advanced degree, he said, the bill would have mistakenly prevented Ohio cosmetologists from obtaining employment in neighboring states with more stringent requirements. The amendment shifts the 100 hours the bill would have required for the to-be created advanced degree to 200 hours.

"By raising it back up to 200 hours for the advanced degree - which is not required here anymore (under the bill) to run a shop here in Ohio - we make sure students in Ohio can get their licenses to work in sites in...our surrounding states," he said.

The amendment was adopted with little discussion, although Sen. Kenny Yuko (D-Richmond Heights) praised the amendment and sponsors for their collaboration with the 32 proponents, 24 opponents and 3 interested parties.

"This was not an ordinary bill," he said. "I think the end result is not only a great bill, but a very necessary amendment."

Sen. Jordan said the bill would correct an instance of overregulation on businesses.

"This requirement serves more as a roadblock for individuals seeking to work in the industry than as a protection for the public," he said.

Sen. Tavares said sponsors attempted to work with all parties to develop a bill to advance the industry.

"SB 213 did not give every person or group exactly what they wanted," Sen. Tavares said. "But the end result is a bill that will move the industry forward while including certain consumer protections."

Also approved was a bill (SB 215) to grant immunity from civil liability to an individual who breaks an automobile window in order to rescue a child or animal in an emergency association after first contacting police.

Sen. Jim Hughes (R-Columbus) said the bill received no opposition testimony in committee.

Cosponsor Sen. Frank Larose (R-Copley) said the "spirit behind this bill is simple."

"The cost of a life is priceless," Sen. Larose said. "I think we all know picking up a rock to get into a vehicle to save a life shouldn't be a question.... We want them to know that when a life is in the balance they should act quickly."

Faber On Kasich: Senate President Keith Faber said Wednesday that Gov. John Kasich's success in New Hampshire shows voters are searching for a "uniter."

The Celina Republican told reporters after session the governor did "phenomenally well" in his second place finish in New Hampshire. Sen. Faber and a handful of other lawmakers were in attendance for the governor's Tuesday night speech to supporters in the Granite State.

After besting establishment rivals Sen. Marco Rubio and Govs. Jeb Bush and Chris Christie, the Kasich campaign is now focused on South Carolina, which votes Feb. 20. (See separate story)

"I think it shows people are looking for someone who can be a uniter, and be a leader," Sen. Faber said of the New Hampshire results. "I've been very impressed with Gov. Kasich's leadership. We've seen it in Ohio."

Sen. Faber aided the ground game in Iowa and New Hampshire by going door to door and putting up yard signs, but he said he doubts he'll be able to pitch in in South Carolina given the time crunch. He said he already has his eyes on the March 15 primary, where he'll once more be able to contribute to the effort.

"We'll probably be doing that all across Ohio," Sen. Faber said. "He'll be here March 15 or before."

Supporters Urge Passage Of Legislation To Exempt The Severely Mentally Ill From Capital Punishment

A law professor, a former lawmaker and a forensic psychologist testified Thursday in favor of a bill that will spare those with severe mental illness from the death penalty.

The legislation (SB 162) "devises fair procedures for reliably determining whether the severely mentally ill exemption applies in an individual case, procedures that are consistent with our existing ones for excluding those who are ineligible for capital punishment by reason of age or mental handicap," Capital University law professor Daniel Kobil testified on behalf of 52 law professors across the state.

"Those who commit violent crimes while in the grip of a psychotic delusion, hallucination, or other disabling psychological condition lack the judgement, understanding or self-control to be labeled the worst of the worst who are deserving of death," he told members of the Senate Criminal Justice Committee. "Their culpability is inherently so limited that while they may be convicted of capital murder, they should not be subject to the death penalty."

Sen. Bill Seitz (R-Cincinnati), one of the bill's sponsors, asked Mr. Kobil if the U.S. Supreme Court, in striking down the death penalty for juveniles and those with intellectual disabilities, required the defense to prove that the accused was impaired because of one of those two conditions at the time of the crime.

Mr. Kobil said the nation's high court did not impose such a burden on the defense in their landmark ruling in *Atkins V. Virginia*.

That particular issue has been a point of contention of the Ohio Prosecuting Attorneys Association, which is current opposed to the bill. John Murphy, executive director of the organization, has taken particular issue with a provision in the bill that he said places the burden on the state to prove that a mental illness diagnosis is unfounded or did not impair a defendant's capacity at the time of the offense. (See Gongwer Ohio Report, January 27, 2016)

Sen. Seitz said if he would "take their bait" and change the bill in a way that would require the defense to prove that the severe mental illness was a contributing factor to the crime, it would make the bill virtually meaningless. That same sentiment was expressed by former Ohio Supreme Court Justice Evelyn Lundberg Stratton, he said.

"She certainly is no wild-eyed liberal," he said.

Jeffrey Smalldon, who said he has worked on "thousands" of criminal and civil cases as a forensic psychologist, told the committee that the carve-out contained in the bill to cover five specific mental illnesses would have impacted less than 5% of the capital defendants he has evaluated over the years.

He also said that under current law, mental illness is one of the mitigating factors that can be taken into account during sentencing. However, he told the committee he has worked on cases in which he had no doubt that a defendant suffered from severe mental illness but was nonetheless sentenced to death.

"Many seriously mentally ill people are still found to be 'sane' under Ohio law," Mr. Smalldon testified. "In the context of a capital case, a seriously mentally ill defendant could easily be found guilty and get sentenced to death. Again, I know it happens. I've witnessed it firsthand."

Former Sen. Bob Spada also spoke in favor of the bill on behalf of the National Alliance of Mental Illness of Ohio. He told the committee that until the nation's high court takes the issue up, it is in the hands of the General Assembly.

"The death penalty is not the answer to the problem of violence committed by persons with serious mental illness," he said. "The better policy is access to appropriate mental health care. One day, we will look back and be ashamed that we let individuals with serious mental illness be executed."

Mr. Spada also sought to refute the notion that families of the victims of violent crimes deserve retribution.

"Many of these families, however, are among the staunchest advocates for exempting those with serious mental illness from the death penalty. What justice is served, they ask, when the person who is responsible for the death of their loved one was not in control of his or her actions? Instead, the victims want to know what they can do to make sure such a tragedy does not happen to someone else's family."

Sen. Seitz, hitting on another complaint of the OPAA, asked if it were fair to say the measure under consideration and a plea of not guilty by reasons of insanity is an "apples-to-oranges" comparison.

Mr. Spada said he believe the comparison is unfair, remarking that a plea of not guilty by reasons of insanity can allow an offender to eventually walk free and do more harm.

Mr. Seitz also asked Mr. Spada if he is familiar with the process to receive one of the five diagnoses covered under the bill - schizophrenia, schizoaffective disorder, delusional disorder, bipolar disorder and major depression - saying that defendants will not be "bringing in the latter-day equivalent of Sigmund Freud."

Mr. Spada said to receive such a diagnosis requires meetings with counselors and psychiatrists and in association with diagnostic standards.

"It's founded in much research and much discernment on the part of the physicians that examine that individual," he said.

Doctors Say Expanded Role For Advanced Practice Nurses Isn't Necessary

Doctors testified Wednesday against a bill that would grant more authority to advanced practice registered nurses, saying the current system in which doctors and nurses have collaborative agreements works fine.

Tim Maglione, senior director of government relations with the Ohio State Medical Association, told the House Health and Aging Committee that the bill (HB 216) would likely not do much to help address the problem of

having primary care providers in underserved, rural areas. It could also hamper the state's efforts to cut down on the over-prescription of opioid pain medication, he said.

"From our perspective, a case really hasn't been made for why independent practice should be allowed in this state," he said.

As it stands now, advanced practice registered nurses, or APRNs, are able to practice as long as they have a standing collaborative agreement with a physician, regardless of whether or not they work in the same practice. The relationship is collaborative, not supervisory, and requires only a written document detailing the protocol of the collaboration and that the physician always be available for communication with the nurse.

Supporters of the bill have said ending the requirement for the collaborative agreement would allow more APRNs to open up primary care practices in rural areas that don't have easy access to physicians. (See Gongwer Ohio Report, January 20, 2016)

Mr. Maglione said there's nothing stopping them under current law.

"There's really nothing in the collaboration requirement today that prevents a nurse from going to a rural area," he said. "They can go to the rural areas today under the current status, but for a lot of reasons are choosing not to."

Rep. Tim Brown (R-Bowling Green) said the collaboration agreement requirement seemed to be anti-business, because if the physician decides for any reason to terminate the agreement, or retires, the APRN is immediately unable to serve patients until finding another physician to collaborate with.

"It seems to me, why would someone open a business when it could be yanked out from under them the very next day?" he asked Mr. Maglione.

Workers in all fields face that same threat from their employers, Mr. Maglione said, adding that the number of APRNs in the state has rose from 8,579 in 2009 to 13,372 in 2015, according to a survey by the Ohio Board of Nursing.

Of those surveyed, he said, only 21 indicated they weren't able to find a job.

"There's just not that many that are having a difficult time finding employment," he said.

Dr. Ami Orr, with Blanchard Valley Pediatrics in Findlay, said the bill's proposal to expand prescription power for nurse practitioners could lead to more over-prescription of drugs like opioids and antibiotics. She cited research from the American Journal of Medicine in 2005, showing that nurses were more likely to prescribe antibiotics for inappropriate conditions.

"We are really opening up a large field of prescriptions for people who do not have the same degree of training as physicians do," she said.

Dr. Steven Schnier, on behalf of Ohio Psychiatric Physicians Association, said he was concerned with APRNs being able to prescribe Schedule II drugs without having a collaborating physician to consult.

"At a time when our state is currently working to combat prescription drug abuse, it does not make sense to allow APRNs to prescribe such drugs with no oversight and no restrictions as HB216 would allow," he said.

Mr. Maglione suggested the formulary for what drugs APRNs can prescribe be kept, but modified so that it's exclusive, not inclusive, meaning a panel would decide what drugs they cannot prescribe. That, he said, would make sure nurses are able to prescribe more current medications.

Dr. Geraldine N. Urse, with the Ohio Osteopathic Association, said she trained and worked as a certified registered nurse anesthetist before going to medical school and becoming a doctor. She said doctors receive a lot

of training about the root causes of conditions and the function of the human body that nurses don't.

"It was during my years on 'the other side of the ether screen' I observed the depth and breadth of knowledge of the physicians and surgeons with whom I practiced," she said. "I truly didn't know what I didn't know."

She said it was important for medical professionals to continue to collaborate together, and the requirement for APRNs to have a collaborating physician ensures that.

"I think the collaboration is the key," she said. "The only way that we as health care professionals can be totally accountable is to be accountable to each other."

Elizabeth Snajdar, a nurse and medical student, explained that nurses aren't necessarily trained on all of the science and concepts needed to make complex diagnoses.

"From my experiences, the field of nursing in general is more focused on assessment, symptom recognition, and interpersonal communication," she said.

Dr. Erica Stein, representing the Ohio Society of Anesthesiologists, said it was not necessary to expand the ability to order drugs to certified registered nurse anesthetists, or CRNAs, because they will always be working with the close supervision of an anesthesiologist or a surgeon.

"Although the CRNA is a valuable member of this team, the CRNA does not need prescriptive authority to provide care as there is a physician leading this team," she said. "The physician is responsible for prescribing all medications used immediately before, during and after the surgery."

Rep. Barbara Sears (R-Maumee) said she would like to hear from a physician who has collaborating relationships with APRNs. Mr. Maglione said they could have one testify.

Rep. Nickie Antonio (D-Lakewood) asked if there is anything Ohio can learn from the other states that allow APRNs to work independently.

Mr. Maglione said most of those states are large and rural.

"Of the states that have moved to independent practice, they look a lot different than Ohio," he said.

Ms. Miller, with the Ohio Association of Advanced Practice Nurses, said in an interview that APRNs know what they're trained to do and what they aren't trained to do.

"We aren't trying to be physicians," she said. "We are very apt at knowing what we can and cannot do."

Opt-Out Bill Stalls Following ODE Action To Release Additional Report Card Data

A bill that would've required a recalculation of state report card grades reflecting the number of students who opted out of state tests will be placed on the back burner now that the Department of Education has decided to take matters in its own hands.

House Education Committee Chairman Rep. Andy Brenner (R-Powell) said he and the bill's sponsor Rep. Kristina Roegner (R-Hudson) began working with the agency to remedy the issue because there were differences of opinion on the measure (HB 420), which already faced a tight timeline.

The bill would've required ODE to calculate two Performance Index scores - one regularly and one that does not factor in zeroes for those students that opted out of state exams. On Tuesday, the agency announced that it will release modified achievement measures and grades. (See Gongwer Ohio Report, February 9, 2016)

The scores, which will appear only on the 2015-16 school year report cards set to be released Feb. 25, will be based only on those students who participated in state tests and will be calculated similarly to PI.

Districts with a high number of opt outs "wanted a solution to have more data to be able to work with their local communities and talk to them about what's going on. That's what this initial (agreement) with the Department of Education is doing," Chairman Brenner said.

While he said "there is no urgency to get it done" now that ODE has agreed to release additional data without legislative action, the committee will continue to monitor opt out rates to determine if it should be published on upcoming report cards as well.

Rep. Brenner said it's likely the change from PARCC to AIR tests this year will encourage more students to take the tests because they don't take as much time to prepare for and the results will come back much quicker.

ODE reported that nearly 99% of students took state tests last year, putting to rest concerns that Ohio wouldn't be eligible for federal funding that hinges on a 95% participation rate.

StudentsFirst Ohio Policy Director Matt Verber said he is supportive of ODE's decision to include additional data on the latest report cards, but said the group is opposed to the bill's proposal to create two PI scores.

Doing so, he said, could make it more difficult for the state to collect data, ensure students take tests and hold schools accountable.

"Currently, Ohio schools have a clear incentive to ensure every student takes the state assessment. Even if the student does poorly on the assessment, it is better than a zero. If the legislature signals that non-tested students might be excluded in the future, schools begin to have an incentive to not test low-performing students," he said.

"Of course, the vast majority of teachers and administrators would never actively discourage students from taking the state assessment. However, please keep in mind this would apply to all public schools, traditional and charter, and some may be tempted to take advantage of a new accountability loophole."

To quell such concerns, lawmakers previously accepted a controversial amendment to the bill that set penalties for educators who encouraged students to opt out. As expected, the committee on Wednesday voted to rescind that amendment and return the bill to its original form. (See [Gongwer Ohio Report, February 8, 2016](#))

Darold Johnson, spokesman for the Ohio Federation of Teachers, told the panel the organization supports the bill as well the amendment that removed penalties.

"Teachers did not start and are not driving the movement for students to opt out of testing. That movement was led by parents, mostly of high-performing students, who are dissatisfied with the current system," he said, in reading testimony from OFT President Melissa Cropper. "If your goal is to reduce the number of students opting out of state tests, (a prior) amendment attacking educators is not the way to do it."

"Rather, a thorough, meaningful conversation with the people most impacted - parents, students, educators - would give you insight into the real problem and ideas on how to solve it," he continued.

Mr. Johnson told Rep. Teresa Fedor (D-Toledo) that the goal is to get the community involved with crafting and on board with state tests so that there is a 100% participation rate whether the federal government requires that or not.

Chairman Brenner said he's invited ODE staff to speak at an upcoming meeting about the federal Every Student Succeeds Act, which recently replaced No Child Left Behind.

Anthony Podojil, executive director of the Alliance for High Quality Education, also testified in support of the bill, saying additional report card information "will provide a more accurate picture" of how districts are doing.

House Democrats Announce Leadership Changes

House Democrats on Wednesday announced a realignment in their leadership team.

With Rep. Kevin Boyce (D-Columbus), who serves as minority whip, running for a seat on the Franklin County Board of Commissioners, Democrats have tapped Rep. Nickie Antonio (D-Lakewood) to fill the third-highest ranking position in the caucus. Rep. Antonio previously served as assistant minority whip.

"I am so proud to be part of a team and caucus that puts people first in all we do at the Statehouse," Rep. Antonio said in a statement. "It is an honor to take on this new leadership position, and I look forward to working with my colleagues to stand up for commonsense policy solutions that lift all Ohioans."

Rep. Jack Cera (D-Bellaire) has been selected to fill the role formerly held by Rep. Antonio. In August he took over the role of the caucus' dean following the resignation of former Rep. Ron Gerberry.

"I am honored to serve Democratic House members and my constituents in this leadership position," Rep. Cera said. "I believe my experience in the legislature and my commitment to service will add thoughtful perspective to the discussion in Columbus about how we can best move our state forward."

Minority Leader Fred Strahorn (D-Dayton) said the move puts the caucus in a good position moving forward.

"I am proud to be surrounded by such a strong team of leaders," the Dayton Democrat said. "Their expertise and understanding of the legislative landscape will serve our caucus well and put us in the best possible position heading in to 2016."

Rep. Boyce, who will face incumbent Franklin County Commissioner Paula Brooks in the March primary, has been dogged recently by allegations that he attended a March 2010 meeting at which a former deputy treasurer demanded monetary campaign contributions in exchange for consideration for state contracts. (See Gongwer Ohio Report, December 25, 2016)

The lawmaker has denied any involvement in the crimes committed by Amer Ahmad.

~~Ohio Officials Applaud Supreme Court Ruling That Puts U.S. EPA's Clean Power Plan On Hold~~

The U.S. Supreme Court on Tuesday voted 5-4 to suspend implementation of the federal Clean Power Plan in the face of an ongoing court battle.

Ohio is among more than two dozen states pushing for the CPP to be thrown out over their protests that the federal government overstepped its authority in releasing the rule.

The plan is aimed at reducing carbon emissions by 2030 by 32% of 2005 levels. But opponents contend the plan will drive up electricity rates, hamper service reliability, and provide little environmental benefits.

The stay was granted along ideological lines, with the order noting that the court's liberal justices - Ruth Bader Ginsburg, Stephen Breyer, Justice Sonia Sotomayor, and Elena Kagan - would have denied the application for a stay.

The order was unique in that it precedes a lower court ruling on the issue that isn't expected until sometime after oral arguments begin in June.

Attorney General Mike DeWine, who in October filed to join the unfolding lawsuit, said in a statement Wednesday he was pleased by the development. (See Gongwer Ohio Report, October 23, 2015)

"This unlawful power plan is a power grab to force states into policies Congress has rejected and that would fundamentally alter the economies of states like Ohio," Mr. DeWine said. "This stay is a significant victory, and the 'Power Plan' is yet another example of the Obama Administration overstepping its authority."

Ohio Environmental Protection Agency Director Craig Butler similarly praised the ruling.

"By staying U.S. EPA's Clean Power Plan, the Supreme Court got it right," he said. "The State of Ohio has pointed out the serious legal shortcomings of the federal Clean Power Plan on numerous occasions. We will evaluate the decision and determine how it will impact our plans moving forward."

But Mike Hartley, executive director of the Ohio Conservative Energy Forum, said the stay should have no bearing on Ohio's clean energy efforts, adding that "Ohio must move forward."

"While Ohio's conservative leaders have been suspect of the Obama Administration's plan, we must not allow the Clean Power Plan delay to serve as an excuse to keep Ohio's energy future on hold," Mr. Hartley said. "Such a move would be misguided and result in the state falling even further behind the rest of the nation."

Uncertainty surrounding the CPP was among the reasons the Energy Mandates Committee cited in September for its recommendation to continue indefinitely a freeze on Ohio's renewable energy mandates. (See [Gongwer Ohio Report, September 30, 2015](#))

Last year, the General Assembly pass a resolution (HCR 29) formally opposing the CPP. The measure passed the House 96-1 and the Senate 32-1. (See [Gongwer Ohio Report, June 17, 2015](#))

Ohio Coal Association President Christian Palich called the ruling called it a victory for "Ohio coal families and energy consumers."

"Congress and now our highest court have ruled against the illegal actions of radical EPA bureaucrats, bringing us one step closer to defeating this agenda and ensuring our energy grid has access to reliable and affordable power," Mr. Palich said.

The Ohio Chamber of Commerce, which filed an amicus brief supporting the stay, also applauded the ruling.

"In Ohio's continued pursuit of building a healthy and diverse economy, few things are more important than preserving access to affordable, reliable and predictable sources of energy," Chamber Director of Energy & Environmental Policy Charles Willoughby said in a statement. "Manufacturers and other businesses must have access to energy solutions that best meet their needs, free from government interference and overly burdensome regulatory controls that stifle healthy economic growth."

Ellen Eilers, field organizer for Moms Clean Air Force in Ohio, called the "disappointing and surprising"

"However, this pause does not dismantle the work that has been completed so far to reduce carbon emissions under the plan. We remain confident that the plan will be upheld on its merits," she said. "We urge leaders in our state to keep working out the details of Ohio's compliance with the plan."

Kasich Shifts Focus to South Carolina After Second-Place Finish In New Hampshire

[Gov. John Kasich](#) is heading to South Carolina with a strong second-place finish under his belt in New Hampshire, where his campaign said the runner-up performance behind businessman Donald Trump should buoy his efforts in upcoming primaries.

Mr. Trump won the GOP primary with about 35% of the vote, while Mr. Kasich checked in at 16%.

Sen. Ted Cruz had the backing of about 12%, while former Gov. Jeb Bush and Sen. Marco Rubio and each had about 11% support.

In his speech Tuesday night, the governor thanked his New Hampshire supporters and suggested the result could be the beginning of a change in politics.

"There's something that's going that I'm not sure anybody can quite understand," he said. "There's magic in the air with this campaign because we don't just see it as another campaign. We see this as an opportunity for all of

us - and I mean all of us - to be involved in something that's bigger than our own lives. To change America, to reshine America, to restore the spirit of America, and to leave no one behind."

"Something big happened tonight," he added. "We have had tens and tens of millions of dollars spent against us with negative advertising....that's the old politics. We never went negative because we have more good to sell than to spend our time being critical of somebody else."

"And maybe, maybe just maybe, we're turning the page on the dark part of American politics, because tonight the light overcame the darkness of negative campaigning."

New Day For America Executive Director Matt Carle said Mr. Kasich's "optimistic vision for our country" has set him apart from other candidates "and the voters just rewarded him for it."

"For months, the media, political pundits and other campaigns attempted to write his political obituary," Mr. Carle said. "Undoubtedly, these same people will now say John Kasich doesn't have the resources or the organization to win. It seems the more people doubt John Kasich, the stronger he gets."

Farther down in the New Hampshire results were New Jersey Gov. Chris Christie, with 7%, businesswoman Carly Fiorina, with 4%, and retired neurosurgeon Ben Carson, with 2%.

Gov. Kasich had hinged his campaign on the New Hampshire results, repeatedly saying on the trail that if he got "smoked" he would return home. The campaign has predicted that success in New Hampshire will boost the governor's name recognition and energize new donors.

Gov. Kasich needed a top five finish in New Hampshire - or a potential top five ranking in future South Carolina polls - to guarantee a place on the stage in the CBS News debate scheduled for Feb. 13 in South Carolina.

Gov. Kasich is now set to immediately pivot his attention to South Carolina, which holds its Republican primary Feb. 20. On Wednesday he's scheduled to attend a Mt. Pleasant town hall, a job creation event in Charleston, and an employee town hall at Nucor Steel Berkely in Huger.

He'll follow that up Thursday and Friday with town halls in Pawleys Island, North Myrtle Beach, Florence and Bluffton, along with a South Carolina Chamber of Commerce Lunch in Columbia and an appearance at a barbecue restaurant in Orangeburg.

On Tuesday, New Day for America touted that more than 300 GOP leaders and activists from the state have endorsed Gov. Kasich. The group posted a [full list](#) on its website.

"These great GOP leaders know what New Hampshire voters have learned over the past several months: John Kasich is the one who can beat the Democrats in November and, most importantly, is the leader our country needs," New Day state director Chris Slick said.

New Day earlier this month made a \$500,000 ad buy in markets in South Carolina and Nevada, where voters will caucus Feb. 27. The ad, titled "Us," will begin running Wednesday in targeted markets in those states.

From Feb. 15-16, Gov. Kasich is scheduled to visit Michigan where he'll attend town halls in Allendale, Utica and Livonia.

Politics Notebook: OLBC Meets With Chief Justice On Grand Jury Reforms; Senate Hopefuls Tout Backing; Hayes Endorses Biggers...

Members of the Ohio Legislative Black Caucus met Tuesday with Ohio Supreme Court Chief Justice Maureen O'Connor to discuss potential changes to the state's grand jury process.

The meeting - attended by OLBC President and [Rep. Alicia Reece](#) (D-Cincinnati), [Sen. Sandra Williams](#) (D-Cleveland), [Sen. Cecil Thomas](#) (D-Cincinnati) and [Sen. Edna Brown](#) (D-Toledo) - comes in the wake of Chief

Justice O'Connor's announcement of the formation of the Task Force to Examine Improvements to the Ohio Grand Jury System.

Rep. Reece requested the meeting "to discuss the importance of bringing transparency to the secretive grand jury process."

"Many of our constituents around the state are calling for action after the year-long grand jury process that culminated in the decision to bring zero charges against the officers that shot and killed 12 year-old Tamir Rice, and the lack of charges in the police shooting of John Crawford, Jr," Rep. Reece said in a statement. "We look forward to working with both the Supreme Court chief justice and our colleagues in the legislature to enact meaningful justice reforms that keep us safe, treat citizens fairly and restore faith and transparency in our justice system."

The 18-member task force includes judges, prosecutors, defense attorneys, law professors, legislators, members of law enforcement and community leaders. The task force is scheduled to issue a report and final recommendations by June 15. (See Gongwer Ohio Report, January 28, 2016)

In the wake of several high-profile police shootings, legislation has been introduced by Sen. Williams that would require the appointment of a special prosecutor to handle grand jury proceedings in certain police shootings. (See Gongwer Ohio Report, January 14, 2016)

Senate Race: Both former Gov. Ted Strickland and Cincinnati City Councilman P.G. Sittenfeld on Wednesday announced endorsements in their race for the Democratic nod in the contest for a U.S. Senate seat.

Mr. Strickland announced the endorsement of 31 northwest Ohio leaders, including Sen. Edna Brown (D-Toledo), Toledo Mayor Paula Hicks-Hudson and Toledo City Councilman Peter Ujvagi.

In a statement, Mr. Strickland ignored his primary opponent and attacked the record of his likely general election foe, incumbent Sen. Rob Portman (R-Terrace Park), on trade issues.

"Northwest Ohio's economy has been rocked by politicians in Washington like Senator Portman who have repeatedly supported unfair trade policies that have shipped Ohio jobs overseas to places like China. In fact, I believe Portman is the best Senator China's ever had. When it comes to trade policy, the difference between Senator Portman and myself is clear: he voted for eight bad trade deals and I opposed them," he said.

"He voted to give China Most Favored Nation trade status, and I opposed it. He voted to fast track the TPP through Congress, and I have always opposed this unfair trade deal because it will hurt working Ohioans in this community and across our state," Mr. Strickland continued. "The truth is that Senator Portman is voting this way because he's looking out for the Washington power brokers and the wealthy special interests he serves. In the U.S. Senate I will fight for Ohio's working people because that's where I come from and that's who I care about."

Meanwhile, Mr. Sittenfeld announced that former Gov. Richard Celeste would endorse his candidacy at a Statehouse news conference Thursday.

House District 72: Rep. Bill Hayes (R-Harrison Twp.), who will vacate his seat to run for Licking County Prosecutor, has picked a favorite in the race to replace him.

Rep. Hayes announced Wednesday his endorsement of Coshocton City Council President Cliff Biggers over former Speaker Larry Householder in the Republican primary.

He said in a statement that he encouraged Mr. Biggers to run for the seat to ensure that it is held by a "strong and accountable leader."

"A loving husband and father of four, Cliff Biggers understands that public service is not about serving one's own needs, but rather the needs of the community. He has demonstrated that purpose throughout his life, not

only through his words but more importantly through his actions. As a veteran of the United States Navy, he has put his life in harm's way to defend the country he loves," he said.

"As a pastor for 25 years, he has provided a calm voice to men and women seeking spiritual guidance, as well as shelter for those in need of a roof over their heads. His background in law enforcement and local government has equipped him with the experience and knowledge to keep our system fair and our streets safe," he continued.

The winner of the primary will face Democrat John Carlisle in the general election.

U.S. House Race: Sen. Bill Beagle (R-Tipp City) announced the endorsements of several Miami County Republicans in his bid to fill the seat vacated by former Speaker John Boehner.

The endorsements include Rep. Steve Huffman (R-Tipp City), Miami County Commissioner Jack Evans, French Oil President Dan French and Alan Clark, a retired Troy councilman and 27-year veteran of the Troy Police Department.

"I am so thankful to receive the backing of my fellow public servants, friends, neighbors and colleagues here in Miami County," Sen. Beagle. "It was the strong support of my home county that helped me oust our Democrat incumbent State Senator back in 2010 - a seat that had not seen Republican control in over 30 years - and together, I know we can beat the odds again."

Sen. Beagle's main competition to fill the heavily Republican seat is expected to come from Rep. Tim Derickson (R-Oxford), although nearly 20 candidates are vying for the seat.

Term Limits: The organization U.S. Term Limits announced the launch of radio spots in several Ohio cities warning residents that discussion are underway to "water down" term limits for state lawmakers.

"We can't allow wannabe career politicians to 'back door' a bill that would reverse the progress Ohioans have made in returning the Ohio legislature to a true citizen-public servant model," U.S. Term Limits Executive Director Nick Tomboulides said. "Citizens need to be warned about what a handful of rogue legislators are up to."

Ohio law, enacted in a 1992 referendum, currently limits state senators to two successive terms and members of the state House to four successive four-year terms. However, the Constitutional Modernization Commission is considering a proposal to lengthen term limits from eight years to 12 years. (See Gongwer Ohio Report, April 9, 2015)

The ads are currently airing in Cincinnati, Cleveland, Columbus, Dayton, Toledo, Youngstown, Akron and Canton.

Trade Deficit: The Ohio AFL-CIO on Wednesday called for changes to American trade policy in the wake of the U.S. Department of Commerce's announcement that the nation's trade deficit rose 4.6% from 2014 to 2015.

"This new data is further evidence that we cannot afford to enter into any fast-tracked trade agreements that do not protect American working people from the unfair trade practices that have resulted from similarly negotiated deals," Tim Burga, the organization's president, said. "These increased trade deficits have risen with each passing year after trade agreements with China and NAFTA nations have exponentially increased imports, without providing any reciprocating economic benefit on our end."

The trade deficit - \$531.5 billion - was largely driven by imbalanced trade with China, according to the organization. The trade deficit with the world's second largest economy stood at \$365.7 billion in 2015.

"The Trans-Pacific Partnership (TPP), as currently written, would further exacerbate our trade deficit problem because it does not provide American workers with the necessary protections to begin to shrink our national trade deficits," Mr. Burga said.

Mr. Burga called for several changes to American trade policy:

- Exclude investor-to-state dispute settlement (ISDS) and other provisions that favor foreign companies over domestic ones and undermine public choices;
- Ensure that countries cannot undercut U.S. based producers with weaker labor and environmental laws and enforcement;
- Ensure that the U.S. will engage in robust enforcement of trade rules, including labor and environmental rules;
- Include strong rule of origin to promote economic growth and job creation in the U.S.;
- Promote high standards of protection for workplaces, products, and natural resources rather than promoting a race to the bottom; and
- Put the interests of people over the interests of private profit.

"We will be communicating these priorities to our congressional delegation and will hold them accountable should they choose to support anything less," he said.

Attorney General's Opinion

No. 2016-004. Requested by Dennis Trumbull County Prosecuting Attorney Watkins. SYLLABUS:

1. The positions of safety and compliance manager for a county engineer and member of a county board of elections are incompatible when the county engineer by whom the safety and compliance manager is employed is a candidate for election to a public office. (2004 Op. Att'y Gen. No. 2004-019, followed.)
2. A county engineer is not required by law to take action when a person serves simultaneously in the positions of safety and compliance manager for a county engineer and member of a county board of elections and the county engineer by whom the safety and compliance manager is employed is a candidate for election to a public office.

Supplemental Agency Calendar

Thursday, February 11

Canceled: ~~Ohio Constitutional Modernization Commission, Statehouse, Rm. 018, Columbus, 11 a.m. (Finance, Taxation & Economic Development Committee)~~

Thursday, February 18

Board of Emergency Medical, Fire, and Transportation Services, 13430 Yarmouth Street, Pickerington, 10 a.m.

Supplemental Event Planner

Thursday, February 11

Voices for Ohio's Children To Recommend Improvements to Ohio's Early Periodic Screening Diagnosis and Treatment Program, Press Briefing Rm., Statehouse, Columbus, 8:30 a.m.

U.S. Senate candidate P.G. Sittenfeld news conference on endorsement from former Gov. Richard Celeste, George Washington Williams Rm., Statehouse, Columbus, 10 a.m.

Wednesday, February 17

Rep. Jack Cera (D-Bellaire) and Rep. Nick Celebrezze (D-Parma) fundraiser, Capital Club, LeBistro Room, 50 S. Front St., Columbus, 8 a.m., (\$1,500, \$1,000, \$500, \$250 to Friends of Nicholas J. Celebrezze and/or Jack Cera for State Rep.)

Tuesday, February 23

Sen. Peggy Lehner (R-Kettering) fundraiser, Athletic Club of Columbus, Tally Ho Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$1,000, Event Sponsor \$500, Individual \$350 to Citizens for Lehner)

Wednesday, February 24

Ginny Favede (D-Candidate for HD95) fundraiser, Tony's, 16 W. Beck St., Columbus, 5 p.m., (Hosted by Rep. Jack Cera. Sponsor: \$1,000, \$500, \$250 to Committee to Elect Ginny Favede)

Ohio Legislative Black Caucus fundraiser, The Capital Club, 50 S. Front St., Columbus, 5:30 p.m., (Sponsor: \$1,000, \$500, \$250 to Ohio Legislative Black Caucus)

Monday, February 29

Rep. Emilia Sykes (D-Akron) fundraiser, Jilly's Music Room, 111 N. Main St., Akron, 4:30 p.m., (Sponsor: \$500, \$250, \$125 to Emilia Sykes Campaign)

Sunday, March 6

Rep. Nickie Antonio (D-Lakewood) fundraiser, Nadine Hopwood Feighan Residence, 15410 Edgewater Drive, Lakewood, 4 p.m., (Special Guest: Former Congressman Barney Frank. VIP reception: 3:00p.m.-4:00p.m.; General reception: 4:00p.m. to 5:30p.m. Sponsor: \$2,500, \$1,000, \$250 to Friends of Nickie J. Antonio)

Monday, March 7

Ohio House Democratic Caucus fundraiser, Tony's Italian Restaurant, 16 W. Beck St., Columbus, 11:30 a.m., (Special Guest: Former Congressman Barney Frank. Sponsor: \$1,500 (8 tickets), \$500 (2 tickets), \$250 (1 ticket) to House Democratic Caucus Fund and/or Friends of Nickie J. Antonio)

Ohio House Democratic Caucus fundraiser, Ryan Messer & James Musuraca-Messer residence, 1428 Republic Street, Cincinnati, 5 p.m., (Special Guest: Former Congressman Barney Frank. Sponsor: \$2,500, \$1,000, \$250 to House Democratic Caucus Fund and/or Friends of Nickie J. Antonio and/or Friends of Driehaus)

Wednesday, April 6

Speaker Cliff Rosenberger (R-Clarksville) fundraiser, Capital Club - LeBistro Room, 41 S. High Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to Committee to Elect Cliff Rosenberger)

Friday, June 10

House Speaker Cliff Rosenberger (R-Clarksville) golf outing fundraiser


Friday, June 17

Rep. Jeff Rezabek (R-Clayton) golf outing fundraiser

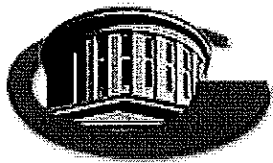
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House Activity for Wednesday, February 10, 2016

INTRODUCED

HBSALES TAX HOLIDAY (Patterson, J.) To provide for a permanent three-day sales tax "holiday" each **454** August during which sales of back-to-school clothing and school supplies are exempt from sales and use taxes. Am. 5739.02 and 5739.05.

HBBORDING SCHOOL ZONE (Patterson, J., Roegner, K.) To authorize a municipal corporation or **455** township to establish a boarding school zone and a special speed limit within that zone. Am. 4511.21.

HBPOLITICAL PARTIES (Becker, J.) To revise the law concerning electors' political party affiliations, **456** candidates for public office, and the removal of appointed political party central committee members. Am. 3501.01, 3503.10, 3503.11, 3503.14, 3503.15, 3503.16, 3503.19, 3503.23, 3505.181, 3505.182, 3505.183, 3509.03, 3511.02, 3513.05, 3513.18, 3513.19, 3513.191, 3513.192, 3513.30, 3513.31, 3513.311, 3517.012, 3517.013, 3517.05, 3599.02, 3599.11, 3599.18, and 4507.06; to enact sections 3503.20, 3513.053, and 3513.054; to repeal sections 3513.20, 3517.014, and 3517.016 of the Revised Code; and to amend the version of section 4507.06 of the Revised Code that is scheduled to take effect January 1, 2017, to continue the provisions of this act on and after that effective date.

HBLICENSE PLATE (Hill, B., Ryan, S.) To create the "Fallen Linemen" license plate. Am. 4501.21 and to **457** enact section 4503.97.

HBFOSTER CARE (Boyce, K., Rezabek, J.) To provide foster care maintenance payments for children in the **458** care of a kinship caregiver without requiring the caregiver to be certified to provide foster care and to require, rather than permit, the creation of the statewide program of kinship care navigators. Am. 5101.851 and to enact sections 5101.855 and 5101.856.

HBESC PERFORMANCE AUDITS (Schuring, K.) To authorize the Auditor of State to conduct a **459** performance audit of an educational service center and to require a comprehensive performance audit of all educational service centers. En. 3311.051.

PASSED

SB CAPITAL REAPPROPRIATIONS (Coley, B.) To make capital reappropriations for the biennium ending **260** June 30, 2018.

90-0

Gongwer Coverage

HB LEGISLATIVE SERVICE COMMISSION (Sweeney, M.) Regarding the term of a General Assembly **167** member as a member of the Legislative Service Commission.

92-0

Gongwer Coverage

HB DEVELOPMENT ZONES (Schuring, K.) To revise the law governing the creation and operation of joint economic development districts (JEDDs) and enterprise zones.

92-0

Gongwer Coverage

HB ARSON (Koehler, K.) To eliminate lack of the property owner's consent as an element of arson when the property is abandoned real property and to make the consent of the owner of abandoned real property an affirmative defense.

90-0

Gongwer Coverage

HB IMPORTUNING (Schaffer, T., Smith, K.) To amend the penalties for the offense of importuning.

405

92-0

Gongwer Coverage

HOUSE CONCURS IN SENATE AMENDMENTS

HB ABORTION (Patmon, B., Conditt, M.) To require the Department of Health to ensure that state funds and certain federal funds are not used either to perform or promote nontherapeutic abortions, or to contract or affiliate with any entity that performs or promotes nontherapeutic abortions; to provide for health departments and WIC clinics to determine presumptive eligibility for pregnant women and children; and to allocate existing funding within the Ohio Department of Health's budget to the Ohio Association of Community Health Centers for safe sleep, birth spacing, and smoking cessation initiatives.

59-32

Gongwer Coverage

HOUSE SPEAKER'S APPOINTMENTS

Judiciary and State Government Committee: Appoint Rep. Boggs

Legislative Task Force on Redistricting, Reapportionment, and Demographic Research: Appoint Speaker Rosenberger, Rep. Strahorn, and Michael Dittoe

Paulding County Transportation Improvement District Board of Trustees: Appoint Rep. Burkley

Williams County Transportation Improvement District Board of Trustees: Appoint Rep. McColley

Fulton County Transportation Improvement District Board of Trustees: Appoint Rep. McColley

DELIVERED TO THE GOVERNOR

HB VOLUNTEER IMMUNITY (Blessing, L., Landis, A.) To provide civil immunity for architects, contactors, engineers, surveyors, and tradespersons providing volunteer services during a declared emergency.

HB AWARENESS DAY (Brown, T.) To designate the fourteenth day of May as 'Childhood Apraxia of Speech Awareness Day.'

HB AWARENESS WEEK (Stinziano, M., Ruhl, M.) To designate the last week of July as "Service Dog Awareness Week."



COMMITTEE HEARINGS

Economic & Workforce Development

HB TAX EXEMPTION (Young, R., Romanchuk, M.) To exempt employment services and employment placement services from sales and use tax. (**CONTINUED-AMENDED**; 6th Hearing-Possible amendment-
All testimony)

The bill was amended to delay its implementation date to July 1, 2017.

Suzanne Dulaney, executive director of the County Commissioners Association of Ohio, and Union County Commissioner Gary Lee spoke in opposition to the bill, saying it would negatively impact revenue to counties.

Mr. Lee said preliminary estimates generated by his county show the bill could lead to the loss of \$1 million a year in revenue, due mainly to the extensive use of temporary workers by the county's strong manufacturing base.

"Union County's financial recovery from the 2007-2009 recession was based primarily on growing sales tax revenues which helped to counterbalance revenue losses attributable to losses in local government funds, tangible personal property tax reimbursements and investment income losses due to record low interest rates," Mr. Lee said in prepared testimony. "Union county's dependence on the sales tax has grown in the past 10 years as sales tax revenue has shown healthy growth while most other revenue sources have declined or at best been stagnant."

Rep. Romanchuk asked Mr. Lee to expand on his calculations, saying it appears that more than 20,000 temp workers would have to be employed in the county to reach the calculated \$1 million in revenue losses. The witness said the county relied on the industry's number of \$750,000 from three years ago and adjusted it based on economic growth since then.

The lawmaker nevertheless continued to express doubts and asked the commissioner to provide the committee more information on the subject.

Despite some legislator's admonitions to the contrary - Chairwoman Baker for instance described the bill as "putting back" in place the a more reasonable tax treatment versus an "exemption" - Mr. Lee said he viewed the tax as "fair" given the police protection and other resources the county must expend to serve the temporary workers in the county.

Rep. Young said, "I feel your pain" in regard to revenue losses but took issue with the commissioner's characterization of the tax. "At the same time, to suggest that this is a reasonable tax is a huge stretch," he said, referring to it as "attacks on job creation" that no other state has implemented.

Responding to a question from Rep. Zeltwanger, Ms. Dulaney said the CCAO board had voted to oppose the bill based on the revenue impact. The board would be further consulted if the bill was changed to hold counties harmless from its impacts, she said.

Mr. Lee said in response to a similar question that he would personally drop his opposition if that were the case, however it remains to be seen if such a tack would jibe with the multi-state Streamlined Sales Tax Compact.

Chairwoman Baker asked opponents to keep an open mind given "this was a tax on labor that is unprecedented."

The Ohio Council of Retail Merchants submitted written testimony in favor of the bill.

"The bottom line is that a tax on employment services and employment placement services is a tax on jobs," OCRM's Lora Miller wrote. "Accordingly, taxing these services decreases Ohio jobs, which harms citizens and our economy. If Ohio is all about jobs, why does the state impose an additional tax on temporary and permanent job placement services over and above other required taxes. It is counter-intuitive at best."

HB AUTO TECHNICIANS (Antani, N., Reineke, B.) Regarding employers of automotive technicians and 429 motor vehicle technicians participating in the Incumbent Workforce Training Voucher Program.
■ (CONTINUED; 2nd Hearing-Proponent)

Three representatives of the auto industry testified in support of the bill.

James Chilcoat, an owner of C&C Tire and president of the Automotive Service Association of Ohio, said the bill is especially timely given that today's autos are more complicated than ever. "This requires technicians to receive more training than ever before. Additionally, as older technicians are beginning to retire we will need to ensure that the new generation of employees are adequately trained to properly repair these high-tech vehicles," he said.

While there are a number of training opportunities available to automotive repair specialists and many of the group's members ensure their technicians are certified, he said, "It should be of no surprise that the impact of these training costs are especially challenging to Ohio's small, independent repair facilities."

"The Incumbent Workforce Training Voucher Program is a resource that would be extremely helpful to our industry, especially the smaller independent repair shops," Mr. Chilcoat said.

John Marshall, owner of Grismer Tire, said he first learned of the voucher program at an event hosted by Governor John Kasich, during which he encouraged attendees to apply for the opportunity.

"The next day, I tried to do just that, but learned that the retail and service sectors are expressly excluded from eligibility and the workers I employ as skilled technicians are unable to apply for training reimbursement. Therefore, I fully support House Bill 429's proposed expansion in scope of the program to make automotive technicians eligible," he said.

"Technicians employed by my company earn between \$27,000 and \$95,000 annually, with an average wage of \$50,000. These figures show that automotive technicians are well paid and that hardworking individuals can choose to build a career in this field," Mr. Marshall said.

"Allowing automotive repair technicians to qualify is consistent with the program's stated goals of allowing employers to retain and grow their existing Ohio workforce and create a statewide workforce that can meet the present and future demands in an ever-changing economy. Automotive Service Technician is listed as an 'in-demand' job by the Ohio Department of Job and Family Services."

Mr. Marshall said a key benefit of the bill is that most of the businesses in this new category are small businesses that will invest their own money to pay for a portion of the training. "These businesses will only select the most dedicated employees that are committed to pursuing a career in the automotive service industry, which will boost Ohio's economy by fulfilling these in-demand jobs," he said.

Joe Cannon, vice president of government relations for the Ohio Automobile Dealers Association, called the bill a "win-win for the industry and the state."

"Our members spend significantly on training their technicians, often to meet manufacturer guidelines related to warranty and recall issues," he said. In our industry, the more training a technician receives, the amount and the complexity of the work the technician performs will increase, which will have a positive economic impact."

Mr. Cannon provided lawmakers with a survey of members that underscored the current "significant shortage" of technicians facing the industry. "As you can see these are good paying jobs which have evolved over time to

become far more technical than in the past due to changing vehicle technology," he said. "We look forward to partnering with the General Assembly on ideas to address this shortage and boost training, of which House Bill 429 is a key first step."

Education

HB ACHIEVEMENT TESTS (Thompson, A.) With regard to state achievement assessments, statewide **212** academic content standards and model curricula, and teacher and administrator evaluations.

■ **(CONTINUED; 2nd Hearing-Proponent)**

Miami Valley ESC Superintendent Tom Dunn, who said putting control back in the hands of local districts will improve student achievement and promote parental involvement, led a long discussion on standards and the role they should play in schools.

Rep. Koehler said he supports the bill, but he's heard from a number of superintendents who don't. He asked the witness why he thinks that is.

Mr. Dunn said many superintendents are opposed to the current educational standards, but they don't want to speak up because they worry that it will lead to even more change.

"They are satisfied with saying, 'Just leave us alone. Tell us what to do, but let it work for a period of time,'" he said. "I think they're afraid frankly to have to reposition everything they've done."

"The fear among school is if you get rid of Common Core, what are you going to make us do and how are we going to implement that," he added.

Rep. Henne said his local school board recently passed a resolution asking the legislature to give back control, but he understands there are federal standards that prevent some of that. He questioned whether schools would be willing to or could go without the funding that's tied to those standards.

"We have to be willing to not take the money," he said.

Mr. Dunn said he's not supportive of Common Core and doesn't believe uniform standards - which didn't exist a few decades ago - are necessary to ensure students are properly educated.

He added that the focus should be less on assessing students and more on ensuring their families are actively involved in their education.

Rep. Thompson, who introduced the bill, shared proponent testimony from Garaway Local Schools Superintendent James Millet and Canton City Schools teacher Greg Soper.

He said Garaway was the first district to pass a resolution in support of the bill.

Rep. Smith asked if the bill would stop a local school district from adopting the Common Core. The sponsor said schools would be able to be flexible with their standards, exams and teacher evaluations so they could continue to use Common Core elements.

A handful of residents also provided written testimony in support of the bill, including Patty Russo, Karen Turner, Kristi Payne, Mary Capella and Royce Harsoe.

HB COLLEGE CREDIT PLUS (Koehler, K.) To increase the earmarked funding for the College Credit Plus **399** Program for home instructed students. **(CONTINUED; 1st Hearing-Sponsor)**

Rep. Koehler said the streamlining of dual enrollment programs to create College Credit Plus has increased the demand and there is not enough funding for home-educated students to take college classes.

"Based on the estimated number of requests for next year, the Ohio Department of Education believes that setting aside \$1.5 million as opposed to the \$500,000 it is now will be able to satisfy the demand for the home educated students' requests for the College Credit Plus Program," he said.

"This is not a new appropriation or an increase in the line item, instead this is a repurposing of dollars that we have already appropriated."

Every home-schooled student who was not a senior this school year was unable to participate in CCP because of the lack of funding, he added. If the bill isn't adopted by June 30, the same would be true next year.

The sponsor told the panel that the additional funding won't "take money from other students" because home school families pay the same taxes toward the local school districts where students are permitted to take college classes starting in seventh grade.

Rep. Slaby said she's heard seventh and eighth grade students are no longer going to be eligible for CCP because it's not appropriate for them. Rep. Koehler said he hasn't heard that, but his bill is targeted toward students in high school grades who would like to participate in the program.

HBSTATE ASSESSMENTS (Roegner, K.) To prohibit the Department of Education from including students **420** who "opt-out" of state assessments in calculations of certain grades in the state report card and to declare an emergency. **(CONTINUED-AMENDED (See separate story); 2nd Hearing-All testimony-Possible amendments)**

Health & Aging

HB NURSES (Pelanda, D.) To revise the law governing advanced practice registered nurses. **(CONTINUED 216 (See separate story); 3rd Hearing-Opponent)**

HB PRESCRIPTION REFILLS (Sprague, R.) To authorize pharmacists to dispense multiple refills of a **285** prescription simultaneously under certain circumstances. **(CONTINUED; 3rd Hearing-Opponent)**

Miranda Motter, president and CEO of the Ohio Association of Health Plans, wrote in opposition to the bill, expressing concerns that it wouldn't help lower prescription prices as intended.

She said the bill has a broad application, and should be limited to drugs prescribed for chronic conditions as maintenance drugs that a patient has been stable on for at least six months, and should not apply to specialty drugs.

The bill could have unintended consequences, such as an increased potential for waste and safety risks, and unknown costs to the patient due to benefit designs.

"OAHP is concerned that the bill, as currently drafted, will not achieve the stated goals of driving down health care costs," Ms. Motter wrote.

HB MOBILITY AID TRANSPORTATION (Kuhns, C., Romanchuk, M.) To modify the provisions governing **365** the transport of persons who may use a wheelchair or other mobility aid. **(CONTINUED; 4th Hearing-All testimony)**

Ernie Brancheau, representing the Lucas County Commission on Disabilities, said the bill would improve transportation options for people who use wheelchairs. He expressed some concern for better access to transportation after being discharged from a hospital's emergency department.

"When one is discharged from the ED the person is shown the door and they are to fend for any services on their own," he said.

Deb Angel, with the Ohio Olmstead Task Force, said in written testimony that she would be happy to see the requirements for transporting someone with a wheelchair relaxed. Ms. Angel uses a wheelchair.

"I am very fortunate that most of the time I am able to get around unassisted," she said. "There are many more people like me that do not meet the medically fragile definition than do meet the requirements."

HB FETAL REMAINS (McColley, R., Koehler, K.) Regarding final disposition of fetal remains from **417** abortions. (CONTINUED; 3rd Hearing-Interested party)

Barry Sheets, speaking on behalf of Ohio ProLife Action, Right to Life of Greater Cincinnati and Cleveland Right to Life, expressed some concerns with different parts of the bill and made suggestions for amendments.

Mr. Sheets said he was concerned with the definition of the term cremation, that it might allow abortion providers to dispose of fetal remains as "medical waste."

"Cremation,' for purposes of this section of the ORC, should be defined differently to make sure that the aborted children don't just go to medical waste incinerators but to licensed and/or certified funeral home crematoriums," he said.

He also said the definition of "product of human conception" could be seen as including amniotic fluid, umbilical cord blood, placental tissue and other things the bill is not intended to address.

Another concern Mr. Sheets expressed was that the abortion providers could pass the cost of disposal on to the mother because of the vague definition of "extraordinary expense."

HB FETAL REMAINS (Sears, B., Ginter, T.) Regarding the disposition of fetal remains from abortions. **419** (CONTINUED; 3rd Hearing-Interested party)

Mr. Sheets, who testified on **HB417**, said his concerns would also apply if the two bills were merged into one.

HB DRUG INJECTIONS (LaTourette, S.) To authorize a pharmacist to administer by injection certain **421** prescribed drugs. (CONTINUED; 2nd Hearing-Proponent)

T.J. Grimm, director of pharmacy operations at The Centers for Families and Children in Cleveland, said allowing pharmacists to administer injection drugs for those with mental illnesses would improve compliance and prevent relapses because pharmacists are more accessible than doctors.

It would be very similar to the administration of vaccines, which pharmacists are already allowed to do, he said.

"Pharmacists are now permitted to administer all CDC-recommended vaccines to patients seven years of age and older, and we do so following similar guidelines articulated in **HB 421**," he said. "The process of giving an intramuscular injection for flu, pre-term labor, schizophrenia, and shingles is largely the same, and thus there would be no added risk to the patients' safety."

Jeff Neidig, of Medi-Wise Pharmacy in Newcomerstown, said it would make life easier for patients.

"Oftentimes patients ask if we can administer other medications to them that they must make an appointment at their physician's office to obtain," he said. "These include antipsychotic medications, birth control medications, and vitamin B12 that they must obtain from the pharmacy along with injection supplies, and then go to their medical office and wait for the injection. The current process leads to inefficiencies in healthcare and unnecessary hassle for the patient."

Glorimar Guzman-Ortiz, a pharmacist and site manager for Genoa, said her pharmacy is inside a community mental health center and only works with patients connected to the center, meaning she works with a lot of patients who use injectable long-acting drugs.

"As you know, House Bill 421 improves access to long acting injectables for the population with which we most closely work," she said. "One of the reasons I believe this is so important is because pharmacists are some of the most accessible health care providers."

HCRDD EMPLOYMENT SERVICES (Romanchuk, M., Antonio, N.) To urge the Congress of the United States to request that the federal Centers for Medicare and Medicaid Services revise its guidance on employment services for individuals with developmental disabilities to maintain their right to participate in programs offered by facility-based day programs, training centers and sheltered workshops.
(CONTINUED; 3rd Hearing-Opponent)

Renee Wood, chair of the Ohio Olmstead Task Force, urged the committee to oppose the resolution, saying it was important to keep the options of institutional long-term care and home and community based long-term care both open.

"No one, no matter the severity of their physical or intellectual disability, should be relegated to a 'special segregated place just for people like them,'" she said.

SCRDIABETES RESEARCH (Balderson, T., Gentile, L.) To urge the United States Congress to increase federal funding for research and development involving advanced medical technology used in the treatment of type 1 diabetes. (CONTINUED; 2nd Hearing-Proponent)

Gary Dougherty, with the American Diabetes Association, urged the committee to support the resolution in order to help in finding treatments for type 1 diabetes.

"The National Institute of Diabetes and Digestive and Kidney Diseases is the primary federal agency conducting research to find a cure for diabetes and to aid in the treatment of type 1 diabetes for which there is no cure," he said. "In recent years, funding for NIDDK has not kept pace with biomedical inflation. As a result, many promising diabetes research projects are un- or underfunded, even as diabetes prevalence increases dramatically in communities throughout Ohio and across the country."

Former congressman Zack Space, the father of a child with type 1 diabetes, submitted written testimony in support of the resolution. He said a cure is possible, and technology is making it even more likely, but more research funding is needed.


"We, as a society, are on the cusp of a cure," he wrote. "As the parent of a diabetic, I hold optimism and great anticipation for the breakthroughs that are upon us."

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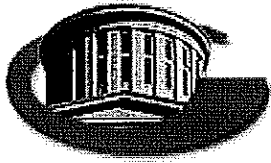
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Senate Activity for Wednesday, February 10, 2016

INTRODUCED

SB GRAND JURIES (Williams, S.) Proposing to amend Section 10 of Article I of the Constitution of the State of Ohio to eliminate the requirement that a felony be prosecuted only on presentment or indictment by a grand jury.

SB FINANCIAL LITERACY (Seitz, B.) To require the Chancellor of Higher Education to create the SmartOhio Financial Literacy Pilot Program at the University of Cincinnati to operate for the 2016-2017 school year and to make an appropriation.

SB PHOTO MONITORING (Patton, T.) To prohibit a local authority from deriving more than 30 per cent of the total annual revenue of the local authority from the issuance of tickets for traffic law violations based on evidence recorded by traffic law photo-monitoring devices.

SB PHOTO MONITORING (Patton, T.) To prohibit a local authority, in any year, from issuing a total number of traffic tickets based on the use of traffic law photo-monitoring devices that exceeds two times the population of the local authority.

SB PHOTO MONITORING (Patton, T.) To prohibit a local authority with a population of 200 or fewer from utilizing traffic law photo-monitoring devices.

SB PHOTO MONITORING (Patton, T.) To prohibit a municipal corporation or township that does not operate either a fire department or an emergency medical services organization from utilizing traffic law photo-monitoring devices.

SB NURSES (Jones, S.) To revise the law governing advanced practice registered nurses.

279

PASSED

SB MONTH DESIGNATION (Gentile, L.) To designate October as "Disability History and Awareness Month."

32-0

Gongwer Coverage

SB COSMETOLOGY LAW (Jordan, K., Tavares, C.) To make changes to the Cosmetology Licensing Law.

213

32-0

Gongwer Coverage

SB VEHICLE FORCIBLE ENTRY (Hughes, J., LaRose, F.) To grant a person immunity from civil liability **215** for any damage resulting from the forcible entry of a motor vehicle for the purpose of removing a minor or an animal from the vehicle because the minor or the animal is in imminent danger of suffering harm.

32-0

Gongwer Coverage

REFERRED

Agriculture:

HB WINE SALES (Manning, N.) To establish the F-10 liquor permit to authorize certain A-2 permit holders to **178** sell Ohio wines at farmers markets.

HB WINERY PERMITS (Young, R.) To create the Ohio Farm Winery Permit. **342**

SB POLICE ANIMALS (Gentile, L.) To authorize a law enforcement officer to purchase a police dog or horse **271** for fair market value when the officer retires in good standing from a law enforcement agency and certain conditions are met, and to declare an emergency.

Civil Justice:

SB EMPLOYMENT LAW (Seitz, B.) To modify Ohio civil rights laws related to employment and the **268** statute of limitations for other specified claims against an employer.

Criminal Justice:

SB CASINO OPERATORS (Seitz, B.) To specify that the criminal penalty related to casino operators and **265** employees participating in casino gaming applies at their casino facility or an affiliated casino facility.

Energy & Natural Resources:

SB WATER SYSTEMS (Schiavoni, J.) To require a public water system to provide notice of lead **269** contamination not later than thirty days after becoming aware that lead contamination may effect the system's drinking water, to require the Director of Environmental Protection to provide the notice if the public water system fails to provide it, to require employees of the Environmental Protection Agency to provide continuing assistance to a public water system that fails to provide the required notice of lead contamination, and to require the Director to adopt rules that increase the monitoring frequency for lead and copper under specified circumstances.

Finance:

HB HIGHER EDUCATION AUDITS (Schaffer, T., Duffey, M.) To specify that state institutions of higher **384** education may be subject to performance audits conducted by the Auditor of State.

SB VEHICLE FUELS (Seitz, B., Peterson, B.) To create the Gaseous Fuel Vehicle Conversion Program, to **267** allow a credit against the income or commercial activity tax for the purchase or conversion of an alternative fuel vehicle, to apply the motor fuel tax to the distribution or sale of compressed natural gas, to authorize a temporary, partial motor fuel tax exemption for sales of liquid and compressed natural gas used as motor fuel, and to make an appropriation.

Government Oversight & Reform:

SB PAWNBROKERS (Eklund, J.) To make changes to the law relating to pawnbrokers. **270**

SB PAROLE ELIGIBILITY (Thomas, C., Eklund, J.) To provide special parole eligibility dates for persons **272** with an indefinite or life sentence imposed for an offense committed when the person was less than 18 years of age, to require the Parole Board to consider specified mitigating factors in those cases, and to require notice to the Ohio Public Defender and prosecuting attorney prior to the parole consideration hearing.

Insurance:

SB 273 CORPORATE GOVERNANCE (Bacon, K.) To enact the Corporate Governance Annual Disclosure Act.

State & Local Government:

HB DISABILITY TERMS (Dever, J., Howse, S.) To change the variations of the term "mentally retarded" to **158** "person with an intellectual disability."

HB ADDRESS CONFIDENTIALITY (Duffey, M., Gonzales, A.) To create an address confidentiality **359** program for victims of domestic violence, menacing by stalking, human trafficking, trafficking in persons, rape, or sexual battery.

SB ELECTED OFFICE VACANCIES (Oelslager, S.) To clarify the circumstances under which a political **266** party may appoint a person to fill a vacancy in certain county elective offices.

Transportation, Commerce & Labor:

HB PROFESSIONAL ENGINEERS (Landis, A., Blessing, L.) To require professional engineers to complete **236** continuing professional development hours in professional ethics or rules relevant to engineering or

■ surveying practices.

HB ROAD NAMING (Maag, R.) To designate a portion of state route forty-eight within Warren county as the **256** "SFC Bobby Lee Estle Memorial Highway."

Ways & Means:

HB TAX LAWS (Green, D.) To extend the deadline for filing an application for the homestead exemption or 2 1661/2% property tax rollback to the end of the tax year, to require that auditors certify Local Government Fund allocations to subdivisions by regular or electronic, rather than certified mail, to require that notices of appeal from a decision of the Board of Tax Appeals originating with a county board of revision be filed with that board and the county auditor, to clarify the effect of certain certifications related to the repealed personal property tax, and to repeal laws requiring county auditors to issue permits for traveling shows, issue licenses for new merchandise public auctions, certify the annual state tax interest rate to local courts.

SENATE PRESIDENT'S APPOINTMENTS

Controlling Board: Sen. Peterson

Joint Education Oversight Committee: Sen. Gardner

DELIVERED TO THE GOVERNOR

SB 2 TAX LAWS (Peterson, B.) To expressly incorporate changes in the Internal Revenue Code since March 22, 2013, into Ohio law, and to declare an emergency.

SB ROAD NAMING (Hughes, J.) To designate a portion of Interstate Route 670 as the "Dana G. 'Buck' 60 Rinehart Highway."

COMMITTEE HEARINGS

Government Oversight & Reform

HB ARCHITECTS (Schaffer, T.) To make changes governing the architects board and the landscape architects 243 board regarding continuing education requirements. (CONTINUED; 1st Hearing-Sponsor)

Rep. Schaffer said the bill would bring Ohio's continuing education requirements for architects and landscape architects in line with the "gold standard" of national licensing trends.

The Ohio Architects Board and the Landscape Architects Board have both determined current law to be vague and that current requirements "often do not constitute the acquisition of new knowledge," he said.

That results in applicants attempting to qualify for licensure credit by citing having membership in neighborhood associations, taking real estate courses, and teaching irrelevant college courses, he said.

"While all of these activities certainly have their uses, I believe one would be hard pressed to find a way to relate them to the practice of architecture or landscape architecture," Rep. Schaffer said.

"The model law is straightforward, as it specifies 12 hours of structured health, safety, and welfare hours every calendar year. It is reported that boards using this model have seen a dramatic decrease in non-compliant CE submissions and decreases in fines and discipline."

Sen. Yuko questioned how the measure would impact smaller architecture firms compared to their larger counterparts.

"That smaller firm of one or two or three professionals will probably stay a small firm without this legislation," Rep. Schaffer answered. "They won't have the opportunity ever to expand to other states and so their market place will be limited to Ohio. With this legislation they can literally go anywhere they want in the country, bid on projects, get those projects, and that's how you grow."

SB ATTORNEY GENERAL (Bacon, K.) To make various changes to the laws governing the duties and **227** functions of the Attorney General. (CONTINUED; 2nd Hearing-Proponent)

Attorney General legislative liaison Will O'Gorman said the bill is an omnibus measure encompassing a number of minor changes the office has compiled over the last three years.

Among the changes proposed in the bill that Mr. O'Gorman outlined were the following:

- Exempting subpoenas from the AG from compliance fees from financial institutions in the same way subpoenas from prosecuting attorneys and grand juries are exempted.
- Creating the Organized Crime Law Enforcement Trust Fund to be funded by money obtained from criminals via court order.
- Expanding public records law exemptions to include personal information - including Social Security Numbers, federal tax IDs, driver's license numbers, bank account numbers or credit card numbers - and require materials submitted to a public office in response to a competitive solicitation become public records on the date the office announces the award of the contract or 180 days after the office opens bids.
- Eliminating a requirement within the Medicaid Estate Recovery Program for a death affidavit to be transferred unless the decedent was or may have been a Medicaid recipient.
- Allowing the office's reparations fund to retain its own interest, which could contribute up to \$50,000 annually to crime victim services.
- Adding certain felony violations of the Solid and Hazardous Wastes Law to conduct constituting corrupt activity under the state's racketeering law.

The measure would also revise the state's antitrust statute by: Strengthening the confidentiality of information gathered in antitrust investigations, clarifying that collusion between vendors and public employees in the awarding of a public contract is a violation of antitrust laws, and revising penalties into a graduated scale based on the amount of the contract and whether the transaction involve public dollars.

Sen. Seitz questioned why the state would move away from having consistency between state and federal racketeering laws. Assistant Attorney General Jim Roberts said there are already several areas in which Ohio law and RICO statutes diverge.

"So it doesn't make sense to not have it just because it's different when it's not consistent currently," Mr. Roberts said.

Sen. Seitz also recommended the penalties under the racketeering section be based on the amount of ill-gotten gains for a contract rather than the actual value of a contract.

"You could have price fixing on a contract that resulted in a 1% increase in price over competitive price and that would be a relatively small amount of dollars or you could have a much smaller contract where the price fixing was 50% inflated which would result in a higher amount of dollars," Sen. Seitz said.

Sen. Coley expressed interest in using the bill as a vehicle to streamline Ohio's gaming oversight. The chairman of the Joint Committee on Gaming and Wagering has been a vocal critic of having multiple entities oversee the industry. (See Gongwer Ohio Report, December 28, 2015)

"What about moving those administration and regulatory functions out from under the attorney general's office into one of our other gaming regulatory agencies and leaving the attorney general's office to just act as attorney for the other gaming regulators?" Sen. Coley asked.

Pete Thomas, head of the AG's Charitable Gaming Division, said moving bingo licensing functions away from the AG would not result in the cost savings Sen. Coley is expecting. He said such a move would still leave the AG's office with several over charitable gaming functions and would simply transfer licensing from one entity to another.

"We have these broad charitable duties," he said. "To move that sole function of bingo licensing to another regulator there wouldn't be any savings as you just indicated."

Sen. Coley said the agency's roles as a regulator, the attorney for other regulators, and an advocate for charitable beneficiaries creates "multiple conflicts."

"It's something, with the opportunity of this bill since we're looking for omnibus changes, I wanted to discuss with you today," Sen. Coley said. "But we can look at that later."

SB CIVIL ASSET FORFEITURE (Jordan, K.) To eliminate civil asset forfeiture proceedings and to modify **236** the law governing criminal asset forfeitures. (CONTINUED; 2nd Hearing-Proponent)

ACLU of Ohio Chief Lobbyist Gary Daniels told committee members the bill is not meant to inhibit law enforcement's ability to legitimately seize contraband in the field. The measure instead places the burden of proof on the government - and not individuals who have not been convicted - to demonstrate a lawful seizure.

"Our interest in this issue is simple: any system where government can seize and permanently keep assets of people who have been convicted of no crime, and never will be, is inherently offensive to our most basic rights," he said.

He said the opposition of groups that stand to benefit from civil asset forfeiture's continuance is "no surprise." But he said the group is open to "commonsense" amendments to the bill, such as one recently made to the House version (**HB 347**) that permits seizure in a handful of narrow exemptions, such as if an individual is deceased or unable to be located. (See Gongwer Ohio Report, December 1, 2015)

"Amending SB 236 to allow law enforcement needed flexibility in these situations does not concern the ACLU of Ohio so long as any exceptions do not provide shortcuts that defeat the purpose of this bill," he said.

Kevin Schmidt of the US Justice Action and Fix Forfeiture - sister organizations pushing for forfeiture reform in several states - said the bill would raise the burden of proof from "a preponderance of the evidence" to the stronger "clean and convincing" evidence.

To retain seized property, a third party claimant must clearly state their legal interest in the property. The prosecutor, upon receiving the third party's petition, would then have to show clear and convincing evidence that law enforcement should retain the property.

"Ohio and America's legal underpinnings are predicated on a doctrine of innocent until proven guilty," Mr. Schmidt said. "The current civil asset forfeiture process damages that doctrine and allows for citizens' personal property to be permanently removed from them without any conviction and in some cases without even being charged with a crime."

Broadview Heights attorney David Tryon submitted written testimony supporting the bill and its House counterpart.

Subscribers Note: For full testimony, see the committee's website under Feb. 10.

Criminal Justice

HBCRIMINAL CASES (Johnson, G., Cupp, R.) To change the time for notification of an alibi defense in a **123** criminal case, to allow the court in a felony case to impose community control sanctions without a presentence investigation report upon agreement of the defendant and the prosecutor, and to request the Supreme Court to modify Criminal Rule 32.2 to allow the court in a felony case to impose community control sanctions without a presentence investigation report upon agreement of the defendant and the prosecutor. (**CONTINUED (No testimony)**; 6th Hearing-All testimony-Possible amendments & vote)

SB DEATH SENTENCES (Seitz, B., Williams, S.) To provide that a person convicted of aggravated murder **162** who shows that the person had a serious mental illness at the time of committing the offense cannot be sentenced to death for the offense and to provide a mechanism for resentencing to a life sentence a person previously sentenced to death who proves that the person had a serious mental illness at the time of committing the offense. (**CONTINUED (See separate story)**; 6th Hearing-All testimony)

SBCHILD SEATS (Schiavoni, J.) To allow the enforcement of child car seat, booster seat, and seat belt **44** requirements as a primary offense and to repeal a provision of law that declares that the failure of an operator of a motor vehicle to secure a child in a car seat, in a booster seat, or with a seat belt is inadmissible in certain criminal proceedings. (**REPORTED (No testimony)**; 6th Hearing-All testimony-Possible vote)

Transportation, Commerce & Labor

HB ROAD NAMING (Romanchuk, M.) To designate a portion of I-71 in Richland County as the "Lt. Col. **338** Albert L. Allen, Jr. Memorial Highway." (**CONTINUED**; 1st Hearing-Sponsor)

Rep. Romanchuk said the measure would honor the veteran who was a prisoner of war for more than three years. The lawmaker said Albert Allen was liberated in 1945 and received an honorable discharge from the U.S. Army in 1946.

Mr. Romanchuk said Mr. Allen received several honors for his military service, and was a 24-year veteran of the U.S. Army Reserve after his discharge.

SB BICYCLE PASSING (Balderson, T.) To provide that when a motor vehicle passes a bicycle the safe **192** passing distance to the left is three feet, and to alter the protocol for proceeding into an intersection that has malfunctioning traffic lights. (**CONTINUED**; 2nd Hearing-Proponent)

Chuck Smith of the Ohio Bicycle Federation testified in support, saying the measure would create a three-foot passing buffer between vehicles and bicycles.

Many of the state's large cities already have similar local ordinances in place, and that the state law would make those regulations uniform across Ohio. Mr. Smith said the greatest benefit of the three-foot buffer is that it would help educate drivers about the need to share roads with cyclists.

He said the measure also creates a process through which cyclists could legally proceed through intersections that have issues with their traffic signals.

Responding to Chair Manning, Mr. Smith said police traveling on bicycles are able to enforce the buffer zone, and indicated there is technology available to accurately measure passing distance. He said he didn't know how much those devices cost.

Sen. Yuko questioned whether signage needs to be added to identify bike lanes in areas where on-road markers are covered by snow and ice. Mr. Smith agreed it is important to have those lanes cleared, and urged local public service officials to boost efforts along those lines.

Sen. Manning also asked whether cyclists should be using trails that run parallel to roads when they are available. Mr. Smith said a cyclist can make that decision based on the condition of the trail, noting that many trails are busy with pedestrians who have the right of way over bikers.

Patricia Kovacs, also representing the Ohio Bicycle Federation, backed the bill. She said bicycle-related fatalities have nearly doubled in recent years, saying the bill would mean that motorists would occasionally be delayed a few seconds in order to execute a safe pass.

Kelli Arthur Hykes, director of public health policy at Columbus Public Health, also lent support. Enacting the measure would enhance the health and safety of the community, she said, adding that cyclists are susceptible to significant injuries and said the greatest factor in bicycle crashes is the failure to yield by motorists.

SB DWELLING EGRESS (Beagle, B., Lehner, P.) To require a separate, exterior means of egress for dwelling **205** areas above the second story of certain residential rental properties and to provide a qualified immunity to landlords who in good faith comply with the requirement. (**CONTINUED**; 2nd Hearing-Proponent)

Sen. Beagle read the written testimony of Ann and Rod Garner, whose daughter, Ellen, died as a result of injuries she sustained in a house fire near the University of Cincinnati campus.

He said Ellen was trapped in a third-floor bedroom when a fire was started by a space heater.

The testimony indicated that having an external egress option could have helped Ellen escape the home, and argued that a failure to act would mean accepting the deaths of more college students.

The testimony indicated that quality egress ladder costs about \$265, and besides offering an escape route, would also minimize the risk that insurers and landlords face from the issue.

The hearing start was delayed briefly at the outset when Senate staff and a canine were brought to the Senate Finance Hearing Room after an object thought to be a suspicious package was found in the room. The room was temporarily cleared and it was determined the box contained an egress ladder that Sen. Beagle displayed during the testimony.

Spencer Brannon of the Ohio Student Government Association also backed the bill. He said the measure would have a significant positive impact on college students in that it would make many of them safer in their off-campus residences.

The rising cost of university housing often forces students to seek lodging elsewhere, and students often end up renting older off-campus homes that have been renovated to make attics and other areas available for living, he said. It is in those areas of homes where having external egress options would be beneficial.

Mr. Brannon added that the association's members regularly disagree on legislative issues, but said members were unanimous on this bill.

SB ROAD NAMING (Bacon, K.) To designate a portion of Interstate 270 within Franklin County as the **261** "Lance Corporal Ryan E. Miller Memorial Highway." (**CONTINUED**; 1st Hearing-Sponsor)

Sen. Bacon said the measure would honor the sacrifices of Ryan Miller, a Marine who died in 2006 while serving his second tour of duty in Iraq. Sen. Bacon said the Gahanna native was killed by a roadside bomb.

SB BICYCLE HELMETS (Skindell, M.) To require bicycle operators and passengers under 18 years of age to **48** wear protective helmets when the bicycle is operated on a roadway and to establish the Bicycle Safety Fund to be used by the Department of Public Safety to assist low-income families in the purchase of bicycle helmets. (**CONTINUED**; 1st Hearing-Sponsor)

Sen. Skindell urged support for the measure that he said will make cycling safer for young Ohioans. He said having a helmet requirement will help minimize significant injuries and deaths involving bicycles.

The lawmaker added that he feels he could have suffered catastrophic injuries or even death if he hadn't been wearing a helmet when his bicycle was hit by a vehicle in 2007.

The sponsor said local governments are enacting bike helmet laws, which have helped reduce injuries and made communities safer. If enacted, violators could receive citations that carry \$20 fines. Those fines could be waived by a judge, he said, if it is shown a helmet has been purchased.

In cases when fines are not waived, he said funds would be deposited into an account to help buy helmets for low-income families.

The purchase of a helmet - which can cost as little as \$10 - is a small investment to protect a child's health, the senator said. Some communities distribute helmets to children at no cost.

Sen. Manning raised concerns that a low-income family with multiple bikers could be hit with a more significant fine for multiple violations. Sen. Skindell acknowledged that could be an issue, but again said fines could be waived.

He also said having a state law in place would help officers approach children and their parents to discuss the importance of wearing helmets.

Sen. Yuko asked whether the measure covers motorized wheeled vehicles.

Sen. Skindell said it only covers bicycles, but he would be willing to consider an amendment if that was the committee's desire.

Sen. Eklund noted the bill appears to apply only to bicycles on roadways. Sen. Skindell said the language is similar to other related bills the legislature has considered in recent years, but would be willing to review options for the bill also applying to bikers on driveways and other areas.

Committee Testimony: Full testimony is available on the [committee's website](#).

Health & Human Services

HB DRUG SALES (Rezabek, J.) To prohibit the over-the counter sale, without a prescription, of **197** dextromethorphan to a person who is under 18 years of age. (CONTINUED; 1st Hearing-Sponsor)

Rep. Rezabek said the bill represents the next step in efforts made by the General Assembly to battle the drug epidemic that is crippling the state. He said the bill builds on efforts of the 129th General Assembly (HB334) to restrict the purchase of pseudoephedrine - the main ingredient used in the production of meth - by restricting the purchase of dextromethorphan - a main ingredient in many cough syrups and cold medications. He said when the legislature worked to shut down pill mills and make pseudoephedrine more difficult to obtain, individuals dependent on substances looked to find the next alternative to attain a hallucinogenic reaction.

Rep. Rezabek called the bill a common sense approach to the control of "dex" based products requiring an age-appropriate ID (18 and older) for all purchases. He said that although such ID is required at major retailers, the same type of medicine can be purchased at a local convenience store or gas station without question. The bill is an attempt to close that loop and serve as the next step in the ongoing battle against drug abuse, he said. "The intent of this bill is to make it as difficult as possible for medicines from making their way into the wrong hands and ultimately being abused."

Questioned by Sen. Lehner on whether or not could miss the point by driving some purchasers to a secondary market, Rep. Rezabek said the bill is being more proactive as it is common knowledge where kids are going to go to purchase the product. He concluded that kids are taking the next step, therefore, the legislature needs to address the problem before it gets out of hand.

HB AWARENESS MONTH (Barnes, J.) To designate January as "Thyroid Health Awareness Month." **219** (CONTINUED; 1st Hearing-Sponsor)

Rep. Barnes said the bill is dedicated to a constituent of his who has thyroid cancer and the millions of others suffering from the impact of thyroid conditions. By designating January as the official awareness month, thyroid health and thyroid-related diseases and conditions would be promoted and, hopefully, lead to assistance in combating the growing problem of thyroid related health issues, he said. In his written testimony, Rep. Barnes said ensuring that the thyroid gland is healthy and functioning properly is critically important to the body's overall well-being.

HB CHEMICAL DEPENDENCY (Sprague, R.) Regarding the practices of chemical dependency counseling **230** and prevention services. (CONTINUED; 1st Hearing-Sponsor)

Rep. Sprague said in sponsor testimony the legislation would permit the Ohio Chemical Dependency Professionals Board to continue to be in compliance with changing licensing trends without coming to the General Assembly as professional licensing requirements evolve. To ensure the board can remain in compliance with International Certification and Reciprocity Consortium standards, the bill would remove specific aspects of the standards from the Revised Code and relocate them within the Administrative Code where it would be more efficient to make changes to comply with changing IC&RC standards, he said. Along with making some technical cleanup and definition revisions, the bill also makes, at the request of the Ohio Chemical Dependency Professionals Board, changes to the titles of certain prevention professionals.

HB WEEK DESIGNATION (Blessing, L.) To designate the first week of December as "Crohn's and Colitis **260** Awareness Week." (CONTINUED; 1st Hearing-Sponsor)

Rep. Blessing said that both Crohn's and Colitis have undetermined causes but it is widely accepted that there are autoimmune and genetic components to them. About 1.6 million Americans have some form of Inflammatory Bowel Disease - split evenly between those with Crohn's and Colitis - with 70,000 new cases reported each year, he said. Treatment options are only targeted to treat symptoms including corticosteroids, immunomodulators, antibiotics, biologic therapies and surgery and often the medications used to treat the diseases are designed for other medical conditions. Noting his legislative aide suffers from Crohn's, Rep. Blessing said the condition affects many more young people than assumed. He said the awareness week will help to remove the stigma that it is more than a bowel disease and assist those afflicted with the chronic disease with the knowledge that a portion of the population has to live with and fight it every day.

HB MONTH DESIGNATION (Johnson, T.) To designate April as "Osteopathic Medicine Recognition **352** Month." (CONTINUED; 1st Hearing-Sponsor)

Rep. Johnson, a D.O. specializing in family medicine, said he hoped the legislation and testimony to follow would spark a desire to learn more about osteopathy and the benefits that it has brought to the state. Dr. Johnson said there are currently some 4,065 licensed D.O.s in Ohio with some 100,000 nationally expected to be practicing this year. He said the so-called "holistic" approach to medicine, as practiced by osteopaths, views patients as more than the sum of their individual parts and declares the primacy of the patient in all matters of health.

Dr. Johnson touted the General Assembly's establishment in 1975 Ohio's own Osteopathic School in Athens in association with Ohio University. Now known as the Ohio University Heritage College of Osteopathic Medicine, it has grown from its initial class of 24 students to 800 students and residents on campuses in Athens, an extension office in Dublin and a Northeast Ohio extension office at Cleveland Clinic/South Point Hospital. He added that the training of students and residents has had a huge economic impact on the state totaling some \$5.9 billion, according to a 2007 study.

He said recognizing April as Osteopathic Medicine Recognition Month will highlight the benefits of osteopathic medicine and what its practice has brought to local communities as Ohio's osteopathic school is now 40 years old and the Ohio Osteopathic Association is celebrating its 115th anniversary.

SB AWARENESS DAY (Bacon, K.) To designate the first day of June as "Hypoparathyroidism Awareness **225** Day." (CONTINUED; 1st Hearing-Sponsor)

Under the bill, Ohio would designate June 1 as Hypoparathyroidism Awareness Day in conjunction with the nationally designated day. Sen. Bacon said Hypoparathyroidism is not a prevalent disorder and is often misdiagnosed with data only now beginning to become more reliable and reflective of how many people are actually afflicted. He explained Hypoparathyroidism as a rare and complex disorder with debilitating symptoms adding that it would be a great service to those suffering from the condition to bring about awareness with Ohio becoming the first state to designate an official for Hypoparathyroidism awareness.

SB MALNUTRITION (Manning, G.) To create the Malnutrition Prevention Commission to study **245** malnutrition among older adults. (CONTINUED; 1st Hearing-Sponsor)

Sponsor Sen. Manning said with an aging population, malnutrition leads to more medical problems, such as long hospital stays and an inability to successfully recuperate after an initial incident. The mortality and direct medical costs associated with disease-related malnutrition for adults aged 65 and older have an estimated \$51.3 billion national burden annually and \$372 million to Ohio alone, she said. There currently are no quality measures to address gaps in the management of malnutrition with those gap areas including the lack of systematic screening, assessment and nutrition intervention; execution of nutrition care plans upon admission through discharge' and/or care coordination to home or other post-acute care sites.

Sen. Manning said the proposed Malnutrition Prevention Commission would be charged to study the impact of malnutrition in all health care settings, investigate strategies for reducing the incidence rate of malnutrition, develop and examine more accurate strategies for data collection and focus on maximizing the dissemination of successful prevention and intervention tools. "When Ohio has over 600,000 seniors who are isolated, over 300,000 who are threatened by hunger and nearly 700,000 who have difficulty paying for their basic needs, we have a responsibility to evaluate their best possible solutions," she said in her sponsor testimony.

SB HEALTH PROFESSIONAL LOANS (Tavares, C.) To require the Director of Health to establish the Ohio **66** Health Care Professional Loan Repayment Program. (CONTINUED; 1st Hearing-Sponsor)

Sen. Tavares said the bill would charge the Ohio director of health to establish and administer the Ohio Health Care Professional Loan Repayment Program - modeled after the National Health Services Corps - to the extent funds are available to provide funds to health care professionals to assist in repayment of qualifying educational loans. She added the program would be designed to provide the opportunity for health care professionals to establish careers in areas of the state experiencing significant shortages in health care professionals in exchange for some of their student loans being repaid provided the recipients return and provide services in areas where a shortage of care is deemed.

The senator said that according to data from the Health Resources and Services Administration, there are 137 federally designated primary shortage areas, 130 in dental care, 104 in mental health care for a total of 371 in Ohio located in rural communities and urban neighborhoods. She said the program would help build healthy communities in areas with limited access both through new providers coming to such areas and their retention within those same locales.

Sen. Tavares added that Ohio competes with other states and other nations for a limited number of health professionals and without the program, Ohio's health professional shortage areas will continue to lack access to primary care and could experience even more severe shortages as the growth of supply continues to fall far behind demand.

In response to a question from Sen. Lehner about why would a health care professional agree to settle in a less desirable part of the state, Sen. Tavares said that could be incentivized if the student knows in advance part of those educational expenses could be paid off. Chair Jones suggested the program could be used as a recruiting tool for those exiting high schools or undergraduate programs.

Governor's Appointments: In other action, the panel unanimously recommended full Senate confirmation of the appointments of Lisa Forehlich to the Board of Speech-Language and Audiology and Alice Randolph to the State Board of Psychology.

Medicaid

SB STEP THERAPY (Lehner, P., Tavares, C.) To adopt requirements related to step therapy protocols **243** implemented by health plan issuers and the Department of Medicaid. (**CONTINUED**; 1st Hearing-Sponsor)

Sponsors Sen. Tavares and Sen. Lehner said the bill would address concerns with step therapy, or "fail first" requirements, in which patients must try medications preferred by the insurance provider to see if it is effective before taking the medication prescribed by a doctor.

Sen. Tavares said step therapy can cause problems for patients because it delays when they are able to take the medication recommended by their doctor.

"Although keeping costs low is important, it should never come at the expense of a person's health," she said.

The bill would require insurers' step therapy processes to be transparent, would create certain automatic guidelines by which patients can bypass step therapy, and would require the step therapy process to be based on guidelines approved by independent experts, Sen. Lehner said.

"My bill seeks to balance cost containment for insurers and the ability of physicians to make decisions in the best interests of their patients," Sen. Lehner said.

She said insurers are using step therapy more and more in the treatment of serious, chronic illnesses such as cancer, HIV/AIDS, diabetes and arthritis.

A companion bill (**HB 443**) has been introduced in the House. It is sponsored by Rep. Johnson and Rep. Antonio.

In a statement released Wednesday, Kenton Beachy, executive director of Mental Health America of Franklin County, voiced support for the bill. The organization is one of dozens in the Ohio Step Therapy Coalition that voiced support for the measure in a news release.

"Particularly for Ohioans with mental illnesses, 'fail first' policies can mean serious health setbacks," he said. "These patients, and others who are battling cancer, Alzheimer's, diabetes and other diseases should not get worse before they can get better."

SB MEDICAL TRANSPORTATION (Patton, T.) To increase the Medicaid payment rates for certain **248** medical transportation services. (**CONTINUED**; 1st Hearing-Sponsor)

Sponsors Sen. Patton and Sen. Manning said the bill is needed to stave off a crunch on the medical transport industry, as many companies aren't reimbursed enough by Medicaid for transports to make it worth their while.

"Ohio has one of the lowest reimbursement rates for medical transportation services and has not seen an industry rate increase in over a decade," Sen. Patton said.

The bill would increase reimbursement rates for advanced life support services, ambulette services, basic life support services and emergency services by no less than 40%, he said.

Companies that perform these services are going out of business and laying off employees, he said, but that also means people who need to use these services don't have reliable ways to get to and from doctor's appointments and other places they need to go.

Sen. Manning said she's heard of patients being stranded for hours because there wasn't anyone to pick them up.

"This is what we're going to see in the future if we don't take some action now," she said.

Sen. Lehner said past efforts to fix these problems have shown that, because companies were paid the same whether they were on time or not, there was no incentive to pick them up on time.

"Is there anything in legislation that would penalize company for not picking up a patient on time?" she asked.

Sen. Patton said it was important to first make sure it was profitable to pick up patients in the first place.


"It doesn't surprise me that they're late," he said. "It surprises me that they're willing to do it at all."

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Daily Activity Planner for Thursday, February 11

Legislative Committees

Ohio Retirement Study Council (Committee Record) (Chr. Beagle, B., 228-1346), Rm. 121, 10 a.m.

- OP&F actuarial audit contract; Iran/Sudan divestment reports (all systems); disability reports (OP&F & HPRS); actuarial valuations (STRS & SERS); STRS health care report, 2016 anticipated activities list; rules

House Medicinal Marijuana Task Force (Chr. Schuring, K., 752-2438), Rm. 313, 3 p.m.

Agency Calendar

Southern Ohio Agricultural & Community Development Foundation, 100 S. High St., Hillsboro, 8:30 a.m.
(Educational Excellence Review Committee)

State Chiropractic Board, 16th Fl., 77 S. High St., Columbus, 9 a.m.

Ohio Constitutional Modernization Commission, Statehouse, Rm. 017, Columbus, 9:30 a.m. (Education, Public Institutions & Local Government Committee)

~~Canceled: Ohio Constitutional Modernization Commission~~, Statehouse, Rm. 018, Columbus, 11 a.m.
(Finance, Taxation & Economic Development Committee)

Criminal Justice Recodification Committee, Senate Finance Hearing Rm., Statehouse, Columbus, 1 p.m.

Ohio Constitutional Modernization Commission, Statehouse, Rm. 017, Columbus, 1:30 p.m. (Judicial Branch and Administration of Justice Committee)

Event Planner

Voices for Ohio's Children To Recommend Improvements to Ohio's Early Periodic Screening Diagnosis and Treatment Program, Press Briefing Rm., Statehouse, Columbus, 8:30 a.m.

Ohio Associated Press 2016 Legislative Preview Session, Ohio Judicial Center, 65 S. Front St., Columbus, 9 a.m.

U.S. Senate candidate P.G. Sittenfeld news conference on endorsement from former Gov. Richard Celeste, George Washington Williams Rm., Statehouse, Columbus, 10 a.m.

17 S. High St., Suite 630
Columbus Ohio 43215

Phone: 614-221-1992 | **Fax:** 614-221-7844 | **Email:** gongwer@gongwer-oh.com

Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley, Mike Livingston, Dustin Ensinger, Jon Reed, Staff Writers

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Gmail - ALEC Digital Exchange: SCOTUS lands blow at Clean Power Plan

Sarah LaTourette Kayser <latoursm@gmail.com>

1 message

To: latourism@gmail.com

Thu, Feb 11, 2016 at 12:04 PM

To view this email as a web page, go here.



Should State Legislators Embrace Bernie Sanders' Policy?



Congresswoman Virginia Foxx (NC) Talks Unfunded Mandates with ALEC

Gun Manufacturer Liability Protection: What Did Bernie Sanders Actually Support and How Can State Legislators Improve Upon It?

Bernie Sanders is now posturing against a reasonable reform he once supported - commonsense lawsuit reform providing a reasonable defense to manufacturers whose products are misused. Read more here.

Transparency and Accountability in Unfunded Mandates

What: Congressional conference call with Congresswoman Virginia

Foxx



When: Tuesday, February 23

Time: 2:30 - 3:00 PM ET

RSVP HERE for call information

Improving Public Land Management Through More Local Control

This week, ALEC Director of Federalism Policy Karla Jones presented testimony to congressional members of the Federal Lands Action Group.

Read the testimony here.

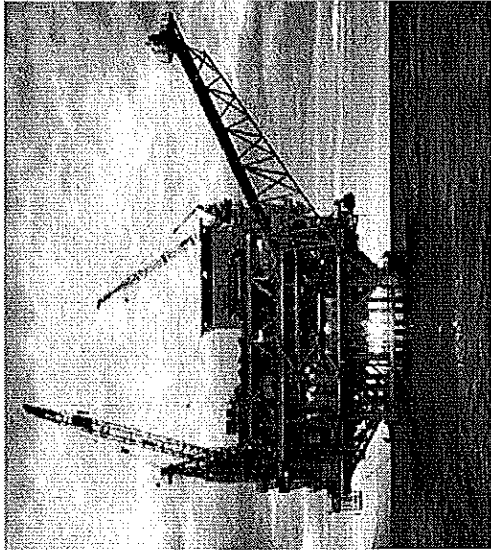
ALEC Testifies at Federal Lands Action Group Forum



Sue and Settle Once Again Rears Its Ugly Head

More of the EPA's Assault on State Sovereignty

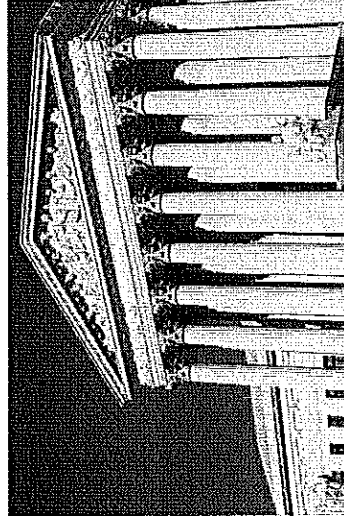
One of the more sinister trends in environmental policy is the rise of "sue and settle" agreements involving the EPA. Last week, sue and settle unfortunately reared its ugly head once again, leading to the Department of the Interior halting approval of hydraulic fracturing permits off the California coast. Read more here.



SCOTUS Orders Stay of the Clean Power Plan

In what is undoubtedly one of the most significant blows to the U.S. Environmental Protection Agency (EPA) in recent history, the U.S. Supreme Court ordered a stay on EPA from implementing its Clean Power Plan in a 5-4 vote.

[Read more here.](#)



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Join ALEC May 6 in Pittsburgh

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American Legislative Exchange Council in the News

SCOTUS Orders Stay of the Clean Power Plan - RedState

7/23/2018

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Malloy's Budget Game Must Match Words - *The Hartford Courant*

West Virginia Sends Right-to-Work Bill to Governor's Desk - *RedState*

R.I. desperately needs reforms - *Providence Journal*

Should State Legislators Embrace Bernie Sanders' Policy? - *RedState*

Alaska Has a Bigger Problem Than Low Oil Prices - *Forbes*

Insurance differences stall progress on ride-hail regulation - *The Tampa Tribune*

Encryption is Not Preventing Law Enforcement from Investigating Crime - *RedState*

Oklahoma students deserve education savings accounts - *The Journal Record*

Local Right to Work Battle Continues in Kentucky Courts - *RedState*

Red States v. Blue States, Rich States v. Poor States - *RedState*

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7/23/2018

Gmail - Fwd: Support for Workplace Freedom and Prevailing Wage Repeal



Sarah LaTourette Kayser <latoursm@gmail.com>

Fwd: Support for Workplace Freedom and Prevailing Wage Repeal

1 message

Sarah LaTourette <info@sarahlatourette.com>
To: latoursm@gmail.com

Thu, Feb 11, 2016 at 5:48 PM

Sent from my iPhone

Begin forwarded message:

From: Sam Kirchhoff <skirchhoff@abcofohio.org>
Date: February 11, 2016 at 2:42:02 PM EST
To: "rep27@ohiohouse.gov" <rep27@ohiohouse.gov>
Subject: **Support for Workplace Freedom and Prevailing Wage Repeal**

From West Virginia's most liberal newspaper...

Will Ohio's policymakers follow suit or get left behind as an island of forced unionism and inflated public construction costs?

Bryan C. Williams
Director of Government Affairs
(614) 359-4846
bwilliams@abcofohio.org



Daily Mail editorial: Governor should sign right to work, prevailing wage bills

Sitting on Gov. Earl Ray Tomblin's desk in the state Capitol building are two bills passed by the Legislature he would probably rather not have to deal with.

Senate Bill 1, establishing the Workplace Freedom Act, makes it illegal for any worker in West Virginia to be required to join a union as a condition of keeping a job.

House Bill 4005 would repeal the state government-dictated prevailing wage on public construction projects. Under the new law, market conditions, not bureaucrats, would dictate the wages the companies pay for public projects such as schools, highways and government buildings.

Both bills passed both the House and Senate in relative high speed without a single Democratic vote.

While Tomblin is expected to veto both bills, he should alter expectations and sign both bills into law.

To veto the bills is to desperately cling to West Virginia's past. The laws that the new bills will replace, particularly the forced unionization law, are vestiges of another day, when the state's economy relied on labor-intensive manufacturing industries. Back then, management of such industries exploited a largely manual workforce. Workers could be easily replaced with another untrained laborer.

The laws may have been appropriate when they were enacted, but the times — and West Virginia's economy — have moved on.

Now the economy is based largely on information, intelligence and data. Business competition, not government interference, drives improvements and pricing in business. The major employers that exploited West Virginia's abundant natural resources in the 20th century are largely history — as is a big and waiting workforce to fill the jobs.

Laws of the 1930s don't necessarily fit today's needs.

Gov. Tomblin has 11 months remaining in his term. His actions on these bills can decide if he is remembered as a governor who worked with a new generation of lawmakers and shepherded West Virginia into the future, or desperately clung to antiquated concepts

7/23/2018

of the past.

- See more at: <http://www.wvgazettemail.com/daily-mail-opinion/20160210/daily-mail-editorial-governor-should-sign-right-to-work-prevailing-wage-bills#sthash.xFD4ORmg.dpuf>

Gmail - Fwd: Support for Workplace Freedom and Prevailing Wage Repeal

7/23/2018

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Sarah LaTourette Kayser <latoursm@gmail.com>

Fwd: Support for Workplace Freedom and Prevailing Wage Repeal

1 message

Sarah LaTourette Kayser <latoursm@gmail.com>
To: bobbyina@ymail.com

Thu, Feb 11, 2016 at 5:53 PM

Sent from my iPhone

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From: Sarah LaTourette <info@sarahlatourette.com>
Date: February 11, 2016 at 5:48:23 PM EST
To: latoursm@gmail.com
Subject: Fwd: Support for Workplace Freedom and Prevailing Wage Repeal

Sent from my iPhone

Begin forwarded message:

From: Sam Kirchhoff <skirchhoff@abcofohio.org>
Date: February 11, 2016 at 2:42:02 PM EST
To: "rep27@ohiohouse.gov" <rep27@ohiohouse.gov>
Subject: Support for Workplace Freedom and Prevailing Wage Repeal

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Bryan C. Williams

Director of Government Affairs

(614) 359-4846

bwilliams@abcofohio.org

<image002.jpg>

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Gmail - Fwd: Support for Workplace Freedom and Prevailing Wage Repeal

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- See more at: <http://www.wvgazettemail.com/daily-mail-opinion/20160210/daily-mail-editorial-governor-should-sign-right-to-work-prevailing-wage-bills#sthash.xFD4ORmg.dpuf>



Sarah LaTourette Kayser <latoursm@gmail.com>

Gongwer Email Alerts for Friday, February 12, 2016

1 message

Gongwer News Service <gongwerreports@gongwer-oh.com>

To: sml@sarahlatourette.com

Fri, Feb 12, 2016 at 9:34 AM

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Email Alerts For Sarah LaTourette

Tracked Committees

House State Government

2/16/2016, 10 a.m., Rm. 121

HB **STATE SEAL** (Perales, R.) To add a representation of the Wright Brothers' first piloted airplane to the Coat of Arms 386and Great Seal of the State of Ohio.

SB **CONTRACTOR LABOR** (Uecker, J.) To prohibit a public authority from requiring a contractor to employ a certain 152percentage of individuals from the geographic area of the public authority for the construction or professional design of a public improvement.

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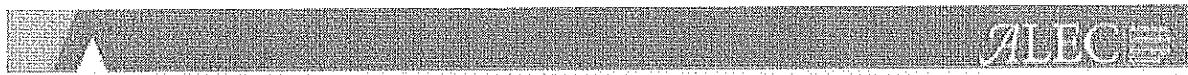
Need your quick OKAY

1 message

Lisa B. Nelson <lisanelson@alec.org>
To: latoursm@gmail.com

Tue, Feb 16, 2016 at 3:19 PM

To view this email as a web page, go [here](#).



Dear Members,

I write to seek quick approval to use your name on a letter to UPS CEO David Abney. The letter is linked at the end of this email. Every member of the Board of Directors and most state chairs have already signed on, and we want you to be a part of this as well.

As you know, UPS has been under many years of sustained attack by unions and remains a stalwart ALEC member. This request is a proactive measure offered from a position of strength rather than out of urgency for an immediate need.

The letter is easy to "sign" and merely shares why ALEC is both important and valuable. As we continue to build internal assets to support our members, having a letter like this ready to go will be invaluable. Thanks for your quick attention to this request. Please visit the sign on page to read and sign the letter [here](#).

Sincerely,

Lisa B. Nelson
Chief Executive Officer
American Legislative Exchange Council

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This email was sent by: American Legislative Exchange Council
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Sarah LaTourette Kayser <latoursm@gmail.com>

Senate Floor Report

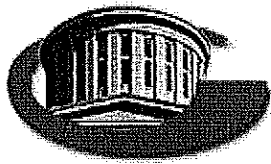
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Gongwer News Service <gongwerreports@gongwer-oh.com>

Tue, Feb 23, 2016 at 3:06 PM

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To: Standard_Subscriber_misc_html@gongwer-oh.com

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Senate Activity for Tuesday, February 23, 2016

PASSED

SB TAX HOLIDAY (Bacon, K.) To provide for a three-day sales tax "holiday" in August 2016 during which sales of back-to-school clothing and school supplies are exempt from sales and use taxes.

264 31-1 (Skindell) Earlier REPORTED-SUBSTITUTE (See separate story)

GOVERNORS APPOINTMENTS CONFIRMED BY THE SENATE

Andre Porter, Chairman, Public Utilities Commission of Ohio. Vote: 23-9

REFERRED

Civil Justice

HB CCW LICENSES (Terhar, L.) To waive the concealed carry license fee for active members of the armed forces and retired and honorably discharged veterans and to accept military experience with firearms as proof of competency with firearms regardless of when the applicant for a license acquired the experience.

235

Criminal Justice

HB 405 **IMPORTUNING** (Schaffer, T., Smith, K.) To amend the penalties for the offense of importuning.

Energy & Natural Resources

HCR PIKETON PLANT (Rosenberger, C., Johnson, T.) To urge Congress and the United States Department of Energy to
30 reverse the decision to terminate funding of the American Centrifuge Program at the American Centrifuge Plant in
Piketon, Ohio.

SCR HOPEWELL EARTHWORKS (Hottinger, J., Peterson, B.) To express support for the nomination of the Hopewell
16 Ceremonial Earthworks as a United Nations Educational, Scientific, and Cultural Organization (UNESCO) World
Heritage Site.

Finance

SB FINANCIAL LITERACY (Seitz, B.) To require the Chancellor of Higher Education to create the SmartOhio Financial
274 Literacy Pilot Program at the University of Cincinnati to operate for the 2016-2017 school year and to make an
appropriation.

Financial Institutions

HB IDENTITY THEFT (Maag, R.) To enable the parents or guardian of a protected consumer to freeze that
317 consumer's credit to protect the consumer from identity theft.

Government Oversight & Reform

SJR GRAND JURIES (Williams, S.) Proposing to amend Section 10 of Article I of the Constitution of the State of Ohio to
4 eliminate the requirement that a felony be prosecuted only on presentment or indictment by a grand jury.

SB DAY DESIGNATION (Tavares, C.) To designate March 31st as 'Cesar E. Chavez Day' in Ohio.
280

Health & Human Services

HB 217 MENTAL HEALTH EXAMINATIONS (Ruhl, M.) To authorize certain advanced practice registered nurses to have a person involuntarily transported to a hospital for a mental health examination.

HB 431 AWARENESS DAY (Sheehy, M., Patterson, J.) To designate February 17th as "Annie Glenn Communication Disorders Awareness Day."

Medicaid

SB 279 NURSES (Jones, S.) To revise the law governing advanced practice registered nurses.

State & Local Government

HB 87 DAY DESIGNATION (Slesnick, S.) To designate October 7 as Moses Fleetwood Walker Day.

HB 167 LEGISLATIVE SERVICE COMMISSION (Sweeney, M.) Regarding the term of a General Assembly member as a member of the Legislative Service Commission.

SB 275 PHOTO MONITORING (Patton, T.) To prohibit a local authority from deriving more than 30 per cent of the total annual revenue of the local authority from the issuance of tickets for traffic law violations based on evidence recorded by traffic law photo-monitoring devices.

SB 276 PHOTO MONITORING (Patton, T.) To prohibit a local authority, in any year, from issuing a total number of traffic tickets based on the use of traffic law photo-monitoring devices that exceeds two times the population of the local authority.

SB PHOTO MONITORING (Patton, T.) To prohibit a local authority with a population of 200 or fewer from utilizing traffic

277 law photo-monitoring devices.

SB PHOTO MONITORING (Patton, T.) To prohibit a municipal corporation or township that does not operate either a fire department or an emergency medical services organization from utilizing traffic law photo-monitoring devices.

HCRMILITARY BRATPIN (Sears, B., Dovilla, M.) To express support for the Military BratPin.

26

SCRFEDERALISM (Obhof, L., Faber, K.) To reassert the principles of federalism found throughout the Constitution of the United States of America and embodied in the Tenth Amendment, to notify Congress to limit and end certain mandates, and to insist that federal legislation contravening the Tenth Amendment be prohibited or repealed.

Transportation, Commerce & Labor

HB WASTE VEHICLES (Cera, J., Rogers, J.) To require motor vehicle operators to take certain actions upon approaching a stationary waste collection vehicle collecting refuse on a roadside.

SB ROAD NAMING (Peterson, B.) To designate a portion of U.S. Route 22 in Fayette and Pickaway counties as the 'Detective Corporal J. Phillip Brown Memorial Highway.'

SB LICENSE PLATE (Williams, S.) To create the Improved Benevolent and Protective Order of Elks of the World (IBPOEW) license plate.


Ways & Means

HB DEVELOPMENT ZONES (Schuring, K.) To revise the law governing the creation and operation of joint economic development districts (JEDDs) and enterprise zones.

HCR 7 MUNICIPAL BONDS (Sprague, R.) To urge the President of the United States to preserve the tax-exempt status of municipal bonds.

RECOMMITTED IN SENATE

HB 110 FAILURE TO STOP (Hill, B.) To increase the penalty for failure to stop after a traffic accident that results in the death of a person or serious physical harm to a person and to name this act Brandon's Law.
Criminal Justice

Click the  after a bill number to track that bill and create email alerts on activity.

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Sarah LaTourette Kayser <latoursm@gmail.com>

NEWS UPDATE--Ohio Unemployment Rate Up Slightly In January

1 message

Gongwer News Service <gongwerreports@gongwer-oh.com>

Fri, Mar 4, 2016 at 9:52 AM

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Friday, March 4, 2016, 09:51 AM

Ohio Unemployment Rate Up Slightly In January

Ohio's unemployment rate saw a slight increase in January, up to 4.9% from a revised 4.8% in December, though nonagricultural wage and salary employment rose slightly, the Department of Job and Family Services announced Monday.

Employment rose by 100 over the month, from a revised 5,475,400 in December to 5,475,500.

Nationally, the unemployment rate that month was also 4.9%, down from 5%. That number held steady in February, the Bureau of Labor Statistics announced Friday.

The number of unemployed workers rose to 279,000 from 273,000, according to JFS, and that number has fallen by 12,000 in the past year. Ohio's unemployment rate was 5.1% last January.

Gov. John Kasich praised job creators for the ongoing increase in employment.

"By making economic development our number-one priority and working together to tear down the barriers to job creation, Ohioans have succeeded in lifting up our state," he said in a statement.

"Families and communities are benefiting from the kinds of good job opportunities many said had left Ohio forever. We are back on track and getting stronger, and I couldn't be happier with the progress we have made together to strengthen Ohio. We will continue to pursue jobs-friendly policies that help create opportunities for all Ohioans to succeed."

More details in today's Gongwer News Service *Ohio Report*.

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Gmail - Department of Political Science Winter 2016 E-Newsletter



Sarah LaTourette Kayser <latoursm@gmail.com>

Department of Political Science Winter 2016 E-Newsletter

1 message


Patrick J. Haney, Political Science <political@miamioh.edu>

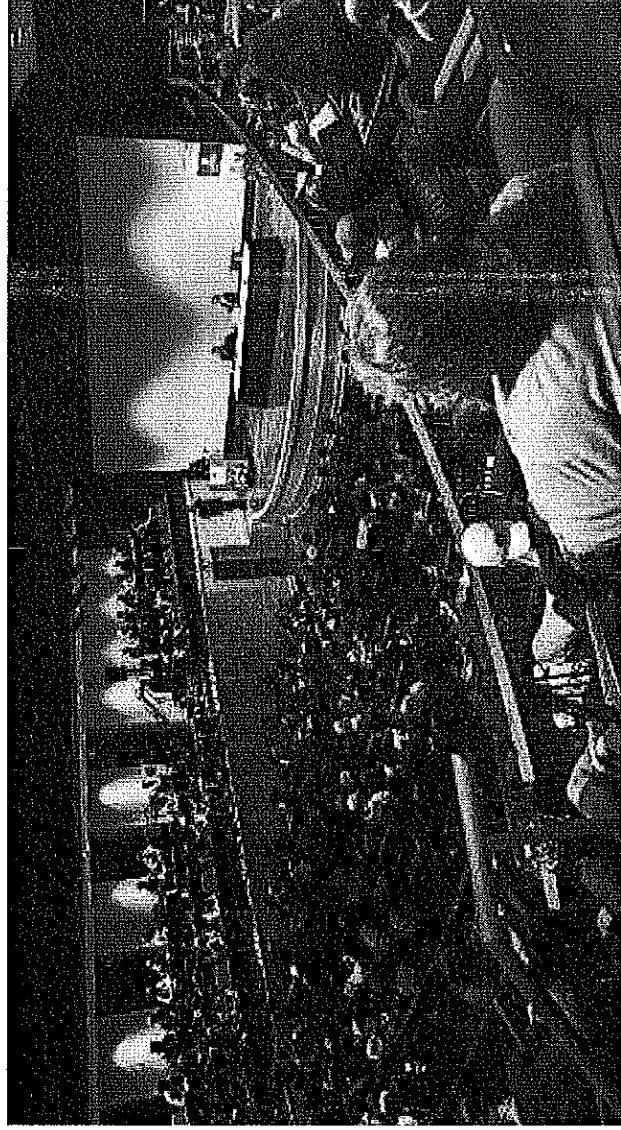
Reply-To: political@miamioh.edu

To: "latoursm@gmail.com" <latoursm@gmail.com>

Fri, Mar 4, 2016 at 11:05 AM

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A packed Wilks Theater listens to distinguished guests Christina Hoff Sommers and Rinku San speak on

feminism and equality in present day America at last fall's Janus Forum.

The Department of Political Science

March 2016



Support POL

The generous support of our donors provides our students and faculty with the resources to take part in a variety of activities that would otherwise be impossible. Scholarships, special lectures, and support for student and faculty research projects enhance the academic mission of the department and the student experience. This support is a vital component in our mission.

Learn how you can make a difference.

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From the Chair

Dear Friends:

One of the best parts about working on a college campus is being a part of the life cycle of the school year that coincides with the seasons. Every year starts with excitement and beauty on campus; you endure winter, made easier by how pretty Oxford is with a little snow; and then spring brings new life and hope for the future as we graduate a new class of educated women and men.

But this year we have had a particularly hard "winter." Not only did we lose

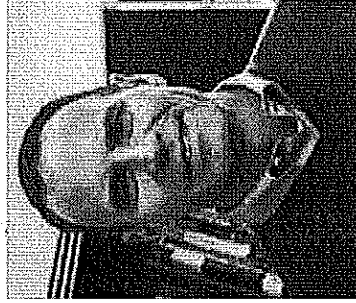
Professor Dan Jacobs, who many of you will remember as our Soviet expert and regular teacher of American Government and who retired several years ago, we also quite unexpectedly lost Professor Gus Jones on the last day of classes last semester.

Such a shock, such a loss. For almost 30 years Gus taught courses in public law and worked to make campus and the world a more just and tolerant place. We had an opportunity for people to come together during finals week, and then had a nice Memorial Service in Oxford in February. We have also established, as was the wish of Gus's kids, the **Augustus J. "Gus" Jones Memorial Scholarship** to help support under-represented students in the department; there's more information about this below in the newsletter.

True to the seasons, in this loss there is also hope for the future. There are so many great things going on in the department, so many cool things our students and alums are doing, we can only scratch the surface here. I hope you will enjoy some of these stories, and feel free to contact us with your own stories; we want to hear from you!

Keep in touch.

Patrick J. Haney
Professor & Chair



Continue reading on the CAS news site.

The Department of Political Science is grieving the loss of two of its outstanding faculty members — Professor Emeritus **Dan Jacobs** and Professor **Augustus “Gus” Jones**.

Augustus "Gus" Jones, professor of political science at Miami University since 1987, was known as a popular and rigorous teacher. He was selected Outstanding Educator by the Miami University Alumni Association in 1999 and was named the Distinguished Educator by the College of Arts and Science in 2002. He was regularly nominated for teaching awards by students, the Associated Student Government and Miami alumni. He served Miami's students as a pre-law adviser for nearly 30 years and served the department and university in innumerable ways during his time at Miami.

On Thursday, February 18 at St. Mary's Church in Oxford, a memorial service was held for Gus Jones. It was well-attended by the many students, faculty, family and friends who came to pay their respects and celebrate the beloved professor. A scholarship fund has been set up in his name to provide financial assistance to students of historically underrepresented populations.

Dan Jacobs

Dan was born in Irvine, Kentucky to Robert Jacobs and Yetta Hellman Jacobs, on July 5, 1924. Educated first at Avondale School and Walnut Hills High School, Dan went on to Denison, Harvard (A.B. 1949), Yale (A.M. 1951) and Columbia (M.A. 1953, Ph.D. 1958). He served his country in the Army Air Corps in World War II. After a year at Hunter College, Dan joined the faculty at Miami University as Assistant Professor for the 1959-1960 school year. He advanced to Associate Professor in 1962 and Professor in 1965—the position he held until retirement in 1995. Professor Jacobs became Professor Emeritus in 1998 and would go on to teach in Harrison Hall until the end of 2008—50 years as a dedicated teacher, scholar, mentor, colleague, and continuing on as friend and fan until his passing.

A Miami Favorite Retires: Dr. Phil Russo

"To think that in such a place I led such a life."

For the past 37 years, a couple of generations of Miami students benefited from their interaction with **Dr. Phil Russo**, Professor of Political Science, and Director of the Center for Public Management and Regional Affairs (CPMRA). While he published many articles, book chapters, research reports, and has been the principal investigator or co-principal investigator for over 30 external grant/contracts from various federal, state, local, and private sources totaling over \$5 million, he is especially recognized as a dynamic teacher and impactful mentor.

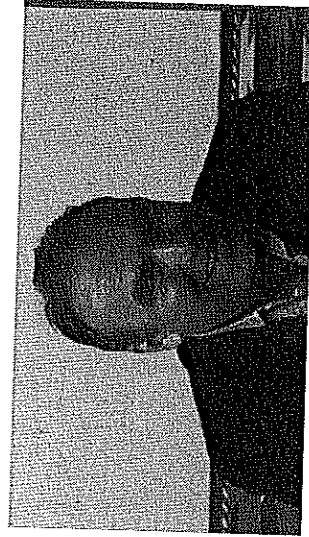
Though this "stalwart" of Harrison Hall and the Miami community officially retired this past June, he's still teaching his Public Administration capstone course and directing the CPMRA part-time as part of the university's unique program to keep some of their best senior faculty connected to Miami in their retirement. That his retirement won't simply consist of golf and relaxation won't surprise anyone. Russo's retirement life has been one of service to his undergraduate and graduate students and many local governments around the state.

As many of his former students can attest, Russo's specialty as a professor and mentor is applying the coursework to the challenge of the real world public leadership. His courses emphasize both the theory and practice that his students will need "when you go to work tomorrow."

Read more about Dr. Phil Russo on the POL website.



Alumni Spotlights



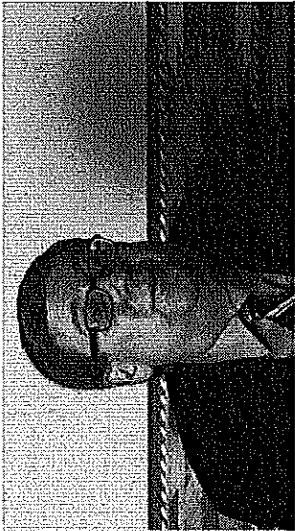
Paul DiNino ('85) is now the owner and president of DiNino Associates, LLC, a lobbying firm in Washington, DC. Before his professional success, Paul was watching the Democratic National Convention while his friends were out playing ball. At Miami, he delved into American Studies classes, nurturing a deep passion for the government.

See how Miami shaped his career in politics.



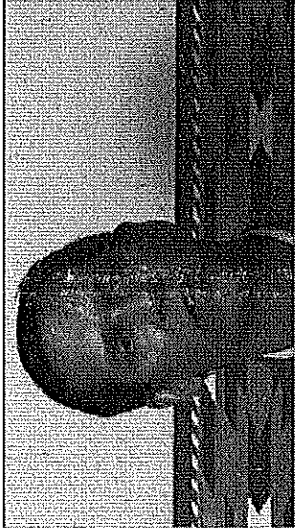
Kate Black (#6), as the research director for Emily's List, works to elect women to public office. She planned to go to law school but had a thirst for activism that a career in law simply couldn't quench. At Miami, she became an active member of the Association of Women Students, where she cultivated a desire to work for women in politics. Her degree in Individualized Studies helped tailor her education to exactly what interested her: electing women to office.

Learn how Miami put her on the road to success.



Rick Platt '89 majored in Public Administration and Speech Communication. Soon after, at age 24, he became the youngest director of a state agency and is currently the President and CEO of the Heath-Newark-Licking County Port Authority, which is the 4th largest port authority in the U.S. A former student of Dr. Phil Russo, Rick was invited to be a part of the inaugural advisory committee for the Ohio Public Leaders fellowship program, which hosts Miami students with opportunities to experience the inner workings of state and local government institutions.

Read about Rick's lifelong purpose to learn.



Steve Pinkos '92 majored in Political Science and then attended law school at DePaul University in Chicago. Steve currently works as a lobbyist with the American Continental Group, a government affairs organization based in Washington, DC. He visited Miami for the annual meeting of the Miami in DC Advisory Board, which includes a number of alumni who help Miami students pursue careers in the DC area.

Learn about Steve's great outlook on life.

Student Spotlights: Bob Carmichael and Shannon LaGassa



Bob Carmichael (center, behind the podium) is a senior studying political science and international studies. During the spring of 2014, he participated in Miami's highly-acclaimed Inside Washington Program, where he interned for a Congress member and conducted research on hardcore hockey fans. His semester on Capitol Hill has prompted him to pursue a career in legislative politics.



Pre-law senior and political science and English/professional writing double major **Shannon LaGassa** manages to find time working in two internships and riding on Miami's equestrian team. As a future lawyer, she has been interning at an Oxford law firm called Robinson, Lipnickey and Jones, LPA since August 2015.

Learn more about Shannon's Miami experiences.

Find out more about Bob's time on campus, away, and abroad.

Other Department News

Spring 2015 Awards

On April 18, 2015, the Department of Political Science celebrated its top students by awarding them for a variety of accomplishments divided into several categories organized by "prizes," "scholarships," and "recognitions." These students had a distinguished level of past work.

Read more about the award recipients.

March 2015 Janus Forum

Nicholas Burns and Frances Townsend came before a large audience for Miami University's fifth biannual JANUS Forum on March 11, 2015, to address the question, "Has the Obama foreign policy made us safer from terrorism?"

Read more about the March 2015 Janus Forum.

The Lloyd and Mary O'Hara Lecture

The Department of Political Science hosted award winning documentary filmmaker and producer, Dawn Porter, who presented "Defending America in the Age of Mass Incarceration" to over 200 students on March 31, 2015. Porter talked about the present injustices in the law system and then held a Q & A session for the audience.

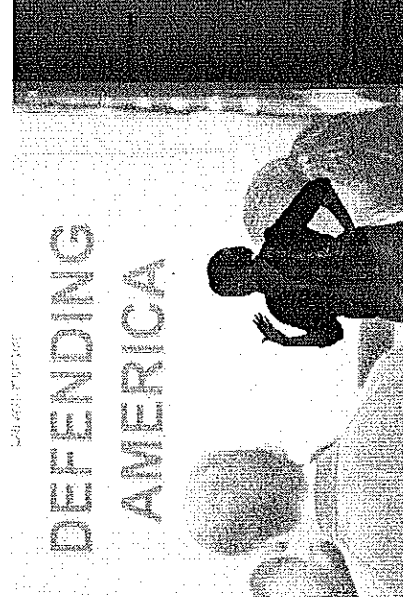
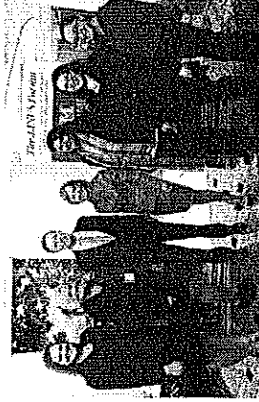
She showed clips from her recent film, *Gideon's Army*, giving the audience a look past what the media has stereotyped defense lawyers to be and how they should be seen: as good, caring people.

Porter asked the audience what they thought of defense lawyers and the responses were all over the board. Ranging from bad and uncaring to overworked, students had different perceptions of defense lawyers because of the way the media stereotypes them. Porter touched on why we see defense lawyers in this light and brought awareness to the inequalities that are becoming a continuous habit in our nation's government system.

"What I do think, though, is that the way that the laws are designed, they do seem to disproportionately impact low income people and people of color," said Porter, "and so I think we have to ask ourselves what is the real meaning behind those laws."

Porter is working on a new documentary to further awareness in the justice system, but she wasn't able to give away any details!

Ian Haney López



A full house in Pearson Hall welcomed **Ian Haney López** on Sept. 29, 2015 as part of the Lloyd and Mary O'Hara lecture in law and politics. The John H. Boat Professor of Law University of California-Berkeley discussed dog whistle politics, or the practice of using coded language that appears to mean one thing in a general population, but resonates differently to a specific subgroup.

López discusses this idea further in his book, *Dog Whistle Politics: How Coded Racial Appeals Have Reinvented Racism and Wrecked the Middle Class*, which lays bare how over the last half century politicians have exploited racial pandering to build resentment toward government that in turn leads many voters to support policies that favor the very wealthiest while hurting everyone else.

18 Of the Last 9 Nominations Open

Know an exceptional alum who graduated after 2007?
Nominate them for 18 Of the Last 9.

Submit a nomination>>

18 of THE LAST 9

HONORING
EXCEPTIONAL
YOUNG ALUMNI

The Department of Political Science

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7/23/2018

Gmail - ALEC Digital Exchange: Fight Federal Programs Through Appropriations, Sunshine Week



Sarah LaTourette Kayser <latoursm@gmail.com>

ALEC Digital Exchange: Fight Federal Programs Through Appropriations, Sunshine Week

1 message

American Legislative Exchange Council <avarnet@alec.org>
To: latoursm@gmail.com

Thu, Mar 10, 2016 at 4:45 PM



Digital Exchange

Conference Call: Power of the Purse: How States Can Use the Appropriations Process to Stop Harmful Federal Programs



Date: Friday, March 18

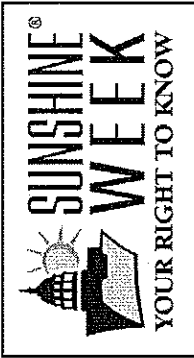
Time: 2:00-2:30 PM ET

Speaker: Representative Tom Graves (GA-14) with an introduction by Representative Gary Palmer (AL-6)

Representative Graves, an ALEC alum and Member of the House Committee on Appropriations, will speak to state leaders about how states can stop harmful federal programs through the appropriations process.

RSVP [here](#)

Celebrate Sunshine Week on Facebook and

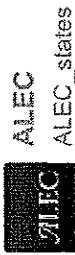


Twitter With ALEC

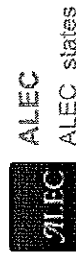
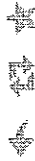
Sunshine Week, running from March 13 to 19, aims to promote transparency in government, which is a fundamental component of the ALEC principles of limited government, free markets and federalism. ...[Read More](#)



Private sector can offer better, more transparent schools, #healthcare & infrastructure.
<https://t.co/DGPvdXCP81> #SunshineWeek #ALECIdeas



#CleanPowerPlan is draconian mandate from rogue @EPA w/o input from people most affected. <https://t.co/DGPvdXCP81> #SunshineWeek #ALECIdeas

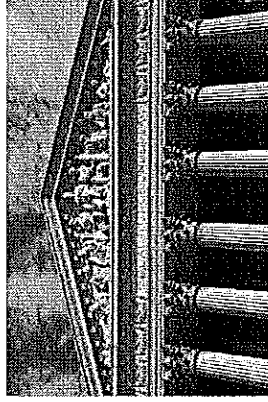


Free market principles support govt transparency through competition & open bidding.
<https://t.co/DGPvdXCP81> #SunshineWeek #ALECIdeas



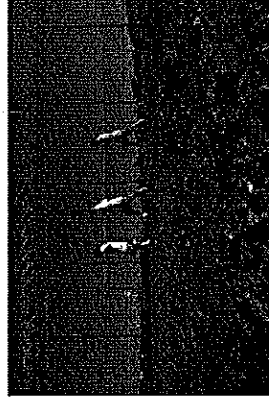


Private sector can offer better, more transparent schools, #healthcare & infrastructure.
[#SunshineWeek #ALECideas](https://t.co/DGPvdXCP81)



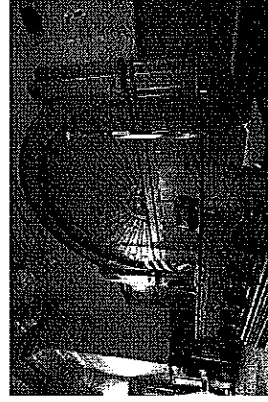
As Clean Power Plan is Litigated, More States are "Putting their Pencils Down"

In early February, the U.S. Supreme Court elected to stay implementation of the U.S. Environmental Protection Agency's (EPA) Clean Power Plan (CPP). This recently finalized regulation – the centerpiece of President Obama's climate policy – [Read More](#)



Prison Programming with Education Focus Reduces Recidivism

When President Obama announced Pell Grants would once again be available to incarcerated individuals after nearly two decades of ineligibility, a firestorm ensued over the merits of this policy. Whether it is fair to bestow financial resources to prisoners so they may obtain a [Read More](#)



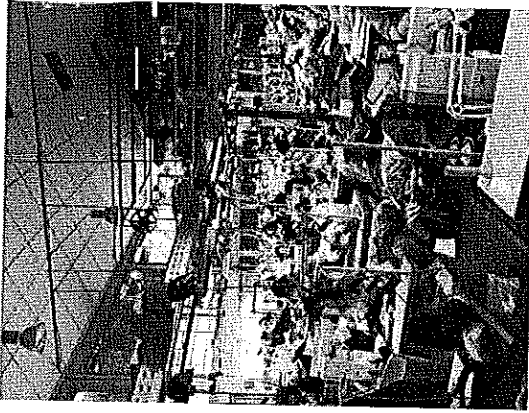
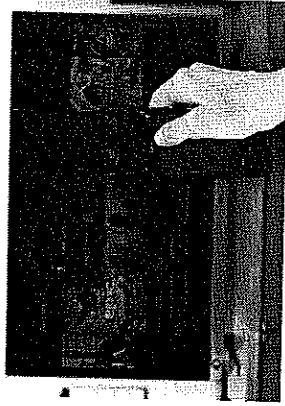
Missouri Legislature Working to Replace Archaic Lawsuit Expert Rules

Today, a civil or criminal case rarely goes by in which each party does not try to offer the jury multiple "experts" upon whose opinion to base its verdict. Unreliable expert testimony presents one of the most difficult and dangerous challenges to the fair administration of [Read More](#)

Replacing Your Tablet with a Set Top Box

Many people, especially Millennials, watch television shows on cell phones, tablets or laptops, but they may be forced to watch their

Gmail - ALEC Digital Exchange: Fight Federal Programs Through Appropriations, Sunshine Week programs on a television if Federal Communications Commission Chairman **Wheeler** has his way. ...[Read More](#)



TPP Creates Footwear of the Future

The final Trans Pacific Partnership (TPP) text is out and the results of economic models are in. TPP will contribute to economic growth and direct employment in the sectors where the U.S. is most competitive – high value manufacturing and innovation.

Trade agreements allow countries to negotiate tariff reductions

...[Read More](#)

American Legislative Exchange Council in the News

[Bill regulating asbestos claims clears House](#)

[West Virginia Right-to-Work Vote Presages Expanded American Job Opportunities](#)

[The Opioid Epidemic: Fast Facts About Naloxone, Costs](#)

[Rates of Incarceration in Rhode Island](#)

[States in Recession and State Economic Policy](#)

[An Alaska State Income Tax is Not the Answer](#)

7/23/2018

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[Walt Disney Investors asked to Reject Liberal Resolution Targeting Corporate Involvement with Groups that Support Free Enterprise and Private Job Creation](#)

[Disney's Robert Iger Denies ABC News is Biased at Disney Shareholder Meeting](#)

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2900 Crystal Drive, Suite 600 Arlington, VA, 22202, United States

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Sarah LaTourette Kayser <latoursm@gmail.com>

Stop Harmful Federal Programs Through Appropriations

1 message

American Legislative Exchange Council <avarner@alec.org>
To: latoursm@gmail.com

Sat, Mar 12, 2016 at 12:01 PM

**ALEC Congressional Caucus**

Conference Call: Power of the Purse: How States Can Use the Appropriations Process to Stop Harmful Federal Programs**Date: Friday, March 18****Time: 2:00-2:30 PM ET****Speaker: Representative Tom Graves (GA-14) with an introduction by Representative Gary Palmer (AL-6)**[RSVP Here](#)

Representative Tom Graves, an ALEC alum and member of the House Committee on Appropriations, will speak to state leaders on how states can stop harmful federal programs through the appropriations process. Representative Gary Palmer, who serves on the House Committees on the Budget, Oversight and Government Reform, and Science, Space and Technology, will give the introduction.

This call is a joint event hosted by the American Legislative Exchange Council (ALEC) and the State Policy Network (SPN).

About the American Legislative Exchange Council (ALEC)

ALEC is the largest nonpartisan, voluntary membership organization of state legislators in the United States

dedicated to the principles of limited government, free markets and federalism. Nearly one quarter of all state legislators are members of ALEC and represent more than 60 million Americans. ALEC member companies, which range from small businesses to Fortune 500 companies, create roughly 30 million American jobs. To learn more, visit www.alec.org.

About the State Policy Network (SPN)

SPN is the capacity-building service organization for America's free market, state-focused think tank community. SPN's mission is to advance a free society by providing leadership development, management training and networking opportunities for think tank professionals and by promoting strategic partnerships among market-oriented organizations. To learn more, visit www.spn.org.

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2900 Crystal Drive, Suite 600 Arlington, VA, 22202, United States

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Sarah LaTourette Kayser <latoursm@gmail.com>

Reminder: RSVP for 3/18 Call on How States Can Stop Harmful Federal Programs Through Appropriations

1 message

American Legislative Exchange Council <avarner@alec.org>
To: latoursm@gmail.com

Wed, Mar 16, 2016 at 10:00 AM



ALEC Congressional Caucus

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